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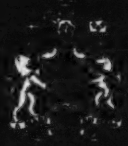

ANNUAL REPORT 1987 In Brief

Act Two: Equality, Quality, Continuity

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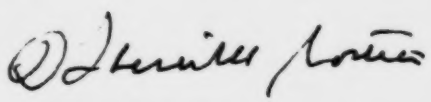
Preface

Last year's Report called 1987 "the Year of the Test". In the event, government has again concentrated its efforts on laying the groundwork for better future results. Canada's fundamental English-French duality was reaffirmed by the Meech Lake accord, and the role of the central government in preserving and promoting that duality was clearly set out in a new Official Languages Bill (C-72). These and other forthcoming pieces of legislation should help reinforce Canada's cultural identity as we become more involved in the broader North American economy. They are, however, still largely at the level of ideas. It is good that we still have trust in our ability to bring about more productive relationships among Canadians, as it is good that Quebec should again become part of the constitutional fold. But actions speak louder than words, and most of 1987 was not conspicuous for many important federal initiatives or for a great crop of achievements. It took a lot of effort by the Standing Joint Committee, ourselves and others to stir a new linguistic conscience in the federal administration and to prevent the program from bogging down in theoretical discussions of Bill C-72.

The various judiciaries have continued to clarify existing language rights, and their 1987 rulings produced what seemed to us significant progress. At the end of the year we were awaiting some landmark decisions from the Supreme Court. We expected to learn, for instance, exactly what residual rights French enjoys in Alberta and Saskatchewan; how the provinces are expected to fulfil their minority education obligations under Section 23 of the Canadian Charter of Rights and Freedoms; and whether the signage provisions of Quebec's Charter of the French Language (Bill 101) are constitutionally valid. Here, too, the test has yet to be completed.

The climate of public support for useful — but far from revolutionary — changes to federal language law remained strong, despite some expressions of dissent. Most provinces, too, were generally a bit more open-minded in applying their constitutional and other commitments to their beleaguered minorities. There were, in fact, several harbingers of better things to come. This Report therefore asserts three main goals: the *equality* that is proclaimed by the Constitution and the Act; the *quality* of service, education and financial management we are entitled to receive from government; and *continuity* — the will of our leaders to play the game fairly and provide the necessary resources, and the will of citizens to remain vigilant and demand their due.



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PART I. THE NATIONAL AGENDA

Affairs of State

In 1987, Canadians took some second looks at their national values. The proposed Official Languages Bill (C-72) must be viewed in the light of our other aspirations, the changing climate of opinion, and the performance of federal institutions under the present Act. While there have recently been some encouraging trends in public and institutional support for the official languages, there are also undercurrents of anxiety which should not be glossed over.

The introduction to the proposed Canada-United States trade agreement offers the prospect of "a richer Canada . . . which can afford to enhance the quality of life through and for Canada's cultural endeavours." The Meech Lake accord, Bill C-72, a Multiculturalism Bill and possible new laws and policies on communications, broadcasting, citizenship and immigration convey some idea of what those cultural endeavours comprise and of the cost of maintaining Canada's distinctiveness. A pragmatic recognition that the balance of English and French in this country is not symmetrical will be critical to achieving the delicate balance among national, social and economic goals proposed by these very different but complementary agreements. Keeping that balance healthy calls for a sympathetic and co-operative strategy of support and promotion from all levels of government and other major national institutions.

Although the federal performance in 1987 was pretty lacklustre, notwithstanding some stirrings in the latter part of the year, the chief hope for the future of the program lies in prompt passage of Bill C-72. It represents a major effort of consolidation of federal language law and a comprehensive blueprint for ensuring the equal respect for English and French that has been our avowed policy goal for the last 18 years.

Beyond the federal sphere, the language scene, both in the predominantly English provinces and in Quebec, was unusually lively in 1987. Outside Quebec, the main issue was the under-fulfilment of the constitutional promise of effective French-language education for the Francophone minorities. In Quebec, the question of bilingual commercial signage — and the indecision of the provincial government — again dominated the debate. English education is also facing increasingly serious problems. The Commissioner deplores the tendency to promote French not by asserting its own cultural vigour but by humbling the competition.

Mother tongue figures from the 1986 Canada Census confirm that the post-Second World War tendency toward linguistic polarization (French in Quebec, English elsewhere) is continuing. The realities which underlie these broad data may be more positive than the figures suggest; government is now trying to obtain a closer reading of Canadians' language choices. However, the numbers available at present

certainly underline the urgency of applying the Meech Lake commitment to preserving the broader English-French duality which is so fundamental a characteristic of Canada.

Real official languages expenditures (in constant 1970-71 dollars) have declined by over 20% in the last eight years, and even more so as a proportion of total federal spending. We should be asking ourselves whether overall investment in these programs is sufficient and whether it is well-spent. Between "bilingualism on the cheap" and "the sky is the limit bilingualism", there should be a happy medium of sustained investment based on more thorough analysis and planning of the sort we now apply to other programs of national importance.

Bill C-72

The Bill does not change the basic rules for equal federal treatment of English and French; it mainly clarifies for those responsible what this must mean in practice. The emphasis must be on equal quality, on continuity, and on adequate systems for both promoting and enforcing the Act. So far as it can, the Bill tackles all the weaknesses that have been found in the present program: lack of leadership, direction, co-ordination and "teeth". Above all, it provides means for putting an end to the bureaucratic deadlocks which have plagued the present Act.

Besides giving better legal definition to the concepts of service to the public, language of work and full participation, the Bill incorporates a challenging new dimension: the "advancement of English and French" in Canadian society. Existing programs of minority support, official languages education and other assistance to non-federal bodies are now expressed as a legal commitment. The message of Bill C-72 is that if official bilingualism is really critical to Canada's identity, it is worth doing properly.

Language Rights

The role of the courts in bringing about the institutional equality of English and French is still being defined. Their interpretations of Canada's language laws may have erred on the side of restraint, but new judicial doctrine is gradually taking shape, and several important decisions rendered by lower courts in 1987 have been or may soon be referred to the Supreme Court.

The question of how the official language minorities are to exercise their constitutional right to minority language education under minority control was raised both in Alberta and Prince Edward Island. A decision by the Alberta Court of Appeal on whether there were enough eligible Francophone parents in Edmonton to warrant both French schooling and Francophone self-management accepted the constitutional principles but questioned the numbers involved and the need for legal redress. Quebec's right to restrict language use in commercial signage under Bill 101 has also made its way to the Supreme Court.

Government Policies and Programs

While crediting the Treasury Board and other central agencies with remarkable efforts in preparing Bill C-72, the Commissioner is less convinced that they have the wherewithal to meet all the promotional challenges a new law will entail. Reviewing the relevant activities of the Secretary of State's Department, Treasury Board and the Public Service Commission in 1987, he notes a flurry of useful initiatives in the second half of the year: the launching of a new government symbol to advertise bilingual service, tougher second-language goals for bilingual managers in the medium term, more emphasis on official languages accountability and new efforts to recruit qualified Anglophones in Quebec. The Secretary of State's Department is, however, the only agency which so far anticipates additional funds: $25 million over the next three years for co-operation with the provinces and territories in developing minority language services. What about the growing needs in official languages education and promotional schemes for the private sector?

The bilingual capacity of the Public Service continues to grow in real terms but is not always well distributed, either hierarchically or regionally. The relative Anglophone-Francophone appointment and occupancy rates for bilingual and unilingual positions also raise difficult questions of employment equity. Increasing use of "imperative staffing" for some bilingual jobs makes it necessary to do a thorough review of the interaction of these and other factors and to consider, for instance, the language demography of the Public Service in relation to the general population. It should be noted, however, that imperative or bilingual staffing of bilingual positions still affects less than 14% of some 210,000 Public Service jobs.

Demand for translation and interpretation is on the rise, but human and financial resources are not. Previous productivity gains achieved through improved technology seem nearly to have reached their limits, and complaints about the quality of service are becoming more frequent. The Commissioner recommends developing new policy that will help stem demand for costly but unproductive translation.

The Commissioner also recommends that, in implementing a new Official Language Act, all forms of policy review, planning and resource use be conducted with much more thoroughness and accountability than in the past. It is essential to the legitimacy of the program that there be the best possible administrative fit between component programs, such as language training and imperative staffing, and between those programs and the evolving linguistic needs and characteristics of Canadian society. This calls for ongoing projections of the interactions among programs and syst· matic analysis of future options. In the same way, it is important that those responsible for

Canada-United States and multilateral trade relations pay close attention to developments that could affect our English and French markets in different ways. Given the sharing of responsibilities under Bill C-72, the Commissioner urges government to assign to the Privy Council Office a strong policy co-ordination role among central agencies when the Bill becomes law.

Standing Joint Committee

The Committee presented three reports in 1987: on provincial failure to comply effectively with the minority education provisions of the Charter; on the lack of drive and accountability in the way the Act is applied in the federal administration; and on inadequate French TV coverage of the Calgary Winter Olympics. All three reports prompted useful responses from government, confirming that the Committee has become an essential part of the process of renewing the official languages program.

PART II. EQUALITY IN THREE DIMENSIONS: ANALYSIS

There was only sporadic progress in 1987 in achieving the three major objectives of language equality: bilingual service to the public, the use of English and French as languages of work and the full participation of both language groups in the Public Service. On the other hand, government's response to the Commissioner's three special reports to the Governor in Council was, on the whole, helpful and encouraging: the main obstacle to better service from Via Rail has been removed; National Defence has at last come up with a credible plan for developing French as a language of work; and efforts to recruit more Anglophones to the Public Service in Quebec have been intensified.

Each year we receive an increasing number of complaints; these are a great help in spotting program weaknesses and the sort of systemic obstacles that cause recurrent problems. The total of complaints increased from 1,840 in 1986 to 2,360 in 1987; complaints about service to the public rose from 1,583 to 2,080; language-of-work complaints remained around the 240-250 mark; and participation problems generated 32 complaints in 1987 as compared to 15 in 1986.

Service to the Public

The federal government generally made good progress in serving the public in both languages until the early 1980s. Since then, despite considerable efforts by the central agencies and individual institutions, advances have been small. Last year's performance was much the same, and there were relatively few initiatives that produced concrete results. At the end of 1987, bilingual services of satisfactory quality were generally available in the National Capital Region and the more bilingual regions of Quebec. Even there, however, certain Crown corporations continue to use only French for billboard advertising. In other more or less

bilingual areas of the country, services in French were either very discreet — and the quality generally not up to par — or non-existent.

It is recommended that, when Bill C-72 is adopted, government implement generous and easily enforceable regulations; within two years, ensure that offices offering services to the public in the minority language always have at least one fully bilingual employee on duty; within the same period, eliminate the elementary level of second-language proficiency for most positions involving service to the public; issue directives on the use of minority language media; introduce and monitor "active offer" of linguistic services, both visual and verbal; and more strictly control the temporary "administrative arrangements" which federal departments use to provide service when bilingual positions have unilingual occupants.

Full Participation

Anglophone and Francophone participation in the Public Service stands at approximately 72% and 28%. A fairly satisfactory overall balance has thus been reached, but it masks serious sectoral and regional distortions for both language groups. Anglophones are notably under-represented in the Administrative Support category, in a number of smaller agencies and in federal offices in Quebec. Francophones are under-represented in the Management and Scientific and Professional categories, as well as in New Brunswick and in the bilingual regions of Ontario.

We recommend that government analyse Anglophone and Francophone participation in the federal administration to assure better human resources planning; and that departments and Crown corporations with major imbalances in participation ratios establish *ad hoc* committees to prepare appropriate plans.

Language of Work

The language-of-work goal is the most difficult to achieve. Despite a number of worthwhile initiatives by the central agencies and some federal institutions, little tangible progress was made in 1987. Unless federal institutions take the matter far more seriously, French will still not be adequately used as a language of work in the National Capital Region or in other bilingual regions outside Quebec, and English will not enjoy equivalent treatment in the bilingual regions of that province.

A major impediment to progress is the questionable second-language proficiency of many "bilingual" supervisors in bilingual regions. Francophones are often reluctant to use French with Anglophone supervisors because, rightly or wrongly, they perceive them as having an inadequate command of the language. In the past decade, to a somewhat lesser degree, Anglophones in Quebec have begun to have similar problems using English.

At the national headquarters of many federal institutions in Ottawa, most executive committees still function almost entirely in English, and meetings at lower levels are generally held in English only. Though widely used administrative manuals are usually available in both languages, other work documents are too often issued in English only, "French to follow". In a number of scientific and technical sectors authorities regularly fail to insist that suppliers furnish even basic reference documents in both official languages.

We recommend that, in bilingual regions, senior management meetings be held in both official languages; that professional training be provided in language-of-work principles and practices; that minority language public servants, Anglophone or Francophone, normally use their own language in the work place and be strongly encouraged to do so; and that the Treasury Board Secretariat identify the factors that impede language-of-work progress and find ways to overcome them.

PART III. EQUALITY IN FEDERAL INSTITUTIONS: EVALUATIONS

Of the fifty institutions covered, the following showed only modest improvements or remained relatively unchanged in 1987: Agriculture, Canada Council, Canadian Commercial Corporation, Canadian National, Comptroller General, Consumer and Corporate Affairs, External Affairs, Harbourfront, Indian Affairs and Northern Development, Labour, Marine Atlantic, National Health and Welfare, National Revenue (Taxation), Senate and Transport.

Another dozen either managed to sustain an already high level of performance or made better-than-average progress in meeting their language goals. These were the CBC, Employment and Immigration, Fisheries and Oceans, the House of Commons, Justice, National Revenue (Customs and Excise), the Public Service Commission, Regional Industrial Expansion, the Science Council, Secretary of State's Department, Statistics Canada and Treasury Board Secretariat. Following is a brief account of the remaining 23 institutions.

In spite of some improvements in program management, the quality of language service offered by **Air Canada** in 1987 showed little real change from previous years. In Quebec the Corporation's billboards are still unilingual French. At the same time, the *offer* of service in French remains indifferent, and it will be some time before employees' opportunities to work in French are comparable to those to work in English. Efforts are under way to increase the Corporation's bilingual capacity through language training and recruitment, but the present deployment and use of bilingual staff is not all it might be.

The Office of the **Auditor General** scored linguistic points in 1987 for its commitment to improve service to its clients, but the presence of unilingual

supervisors still creates problems for French as a language of work. Its program is now well structured, however, and the Office was not the subject of any complaints.

The **Bank of Canada** continues to work on improving its bilingual capacity and there was a noticeable increase in the use of French as a language of work. The overall representation of Anglophones and Francophones among Bank employees is close to a healthy 75:25 balance, but this masks some hierarchical and regional imbalances.

The **Canada Mortgage and Housing Corporation** maintained a respectable standard of service to the public and is working hard to correct remaining shortcomings. However, it is not yet within striking distance of achieving its language-of-work objectives, and full participation of both language groups is still unsatisfactory, particularly in Quebec and the West.

In spite of good intentions on the part of **Canada Post** management and a detailed plan of activities, it has become clear that few benefits will accrue to the general public until a collective agreement can be negotiated with the Canadian Union of Postal Workers that puts ability to work in the appropriate language ahead of employees' seniority. Every Report since 1982 has said virtually the same thing, but progress has been minimal. The negative effects of seniority provisions in union contracts show both in the small proportion of jobs that are designated bilingual (7%) but, more importantly, in repeated breakdowns of service in French: examples include Dieppe, New Brunswick (71% French-speaking), and the Ottawa suburb of Vanier (about 50% French-speaking).

The brave new world of franchises has its own problems. In Ottawa, the only franchise now in operation in a bilingual area got off to a poor start by overprinting Canada Post's bilingual parcel delivery notices in English only. These and other difficulties are reflected in the growing volume of complaints: 237 in 1987, compared with 128 in 1986 and 82 in 1985. Some progress was made this year in the Corporation's struggle to make language objectives an integral part of operational planning: an Official Languages Steering Committee chaired by the President now requires quarterly reports from managers on all aspects of the program.

The **Canadian Security Intelligence Service** made headlines in 1987 for repeated infractions of the Official Languages Act. The Service is nevertheless beginning to grapple with weaknesses brought to light by the Joint Committee. One problem is that, although 42% of CSIS positions are bilingual, almost a quarter of them are occupied by unilinguals. Last year's problem of telexes being sent by Ottawa HQ to Quebec only in English is becoming a thing of the past, however, and internal services to Francophones are more often in French. While overall

representation figures are fairly good (72% Anglophone, 28% Francophone), there are some important regional and hierarchical variations, and only limited use is made of French as a language of work.

The **Canadian Radio-Television and Telecommunications Commission** provides top quality service in both languages, but French is used only marginally as a language of work, and there are persistent participation imbalances in four out of five employment categories.

After some reorganizational difficulties in 1986, the **Department of Communications** began a come-back in 1987. It has few problems actually serving clients in English and French, but the "active offer" of service, particularly on the phone, is not what it should be. There is systematic management pressure to encourage French as a language of work in this largely scientific and technical department, but it is hard going when many supposedly bilingual supervisors are less than comfortable in their second language. On the other hand, Francophone participation is well above par at 33%, while Anglophone participation in Quebec has dropped to an abysmal 2%. Management is very conscious of these imbalances and determined to correct them.

In its two appearances before the Standing Joint Committee, the **Correctional Service** had to confess to numerous official language crimes, notably the poor provision of health services to Francophone inmates outside Quebec. Although bilingual capacity is generally satisfactory in Quebec and the Atlantic region, it is much less so in the West, and in the whole of Ontario the Service has only one bilingual psychiatrist and no bilingual physician. While things remained virtually unchanged on the language-of-work and participation fronts, management of the program improved, and a real effort was made to tackle the many difficulties of dealing with inmates in their preferred official language.

Energy, Mines and Resources substantially increased Francophone representation in management, from about 11% to 16%, in 1987. However, over 20% of the service-to-the-public jobs that are designated bilingual still have unilingual incumbents and, despite recent improvements, French is still lagging as a language of work. Planning and management are sound, however, and complaints are promptly and satisfactorily resolved.

Environment gets good marks for improving the administration of its program, notably in applying a new road sign policy in the Parks Service. Language of work and equitable participation remain its main stumbling blocks. Francophone representation declined from about 20% to 19% in the course of the year.

The **Farm Credit Corporation** was the subject of an audit in 1987. The main conclusions were that procedures for serving the public in English and French are satisfactory on paper but that French is not adequately used as a working

language; and while the overall participation balance is about right, there are no Francophone employees in British Columbia or Saskatchewan and only one Anglophone out of 90 employees in Quebec.

Fitness and Amateur Sport maintained its progress in meeting public demand for service in English and French and stepped up efforts to achieve a more equitable use of both languages in the sports-governing bodies it subsidizes.

The **Information Commissioner** has responded positively to a 1986 audit. Although small, the Office has no difficulty serving its clients in either official language. But French could be used more often as a language of work, especially since seven members of a total staff of 15 are Francophone.

A recent audit of the **International Development Research Centre** shows that its official languages situation has improved since 1981. Service can generally be provided in either English or French, although some specialist publications tend to appear in English well before they do in French. With 32% of bilingual supervisory positions occupied by unilingual Anglophones, French has a hard time making headway as a working language, even if overall Francophone representation is high.

An audit of the **Medical Research Council** showed that, although there was some progress in service to the public since 1980, much the same problems persist in language of work, and the Council has made no attempt to determine the official language preferences of new employees.

The image of the **National Capital Commission** as a highly bilingual institution was maintained in 1987, especially when serving the public. But the Commission still faces an uphill battle in developing French as a viable language of work, notwithstanding the fact that Francophones are over-represented in all categories except Management. Low staff turnover is making it difficult to make adjustments in this regard.

In 1987 the Commissioner focused attention on the language-of-work situation at **National Defence**. After 10 years of very slow progress to remove obstacles to the use of French as a working language, the Commissioner began the year with a special report to the Governor in Council on this subject. Government finally acknowledged some serious flaws in the Department's approach to providing equal opportunities to work in either language, and National Defence produced an impressive number of proposals to put matters right. The main difficulties at present are a predominance of English-only technical documents, a shortage of professional training in French and a tendency to appoint unilingual English personnel to bilingual positions. Future progress will need to be closely monitored.

Petro-Canada put in a good effort in 1987 after an early appearance before the Standing Joint Committee, where both its attitude and performance were severely

criticized. Bilingual signage at Petro-Canada's service stations is on the increase, and a new free bilingual telephone service is available at some stations lacking bilingual staff. Steps have been taken to ensure the Corporation's many credit customers get correspondence in their preferred language. French still has unequal status as a working language at Calgary headquarters and Francophones make up only slightly more than 10% of the 8,759 employees.

The **Privacy Commissioner** has responded to a 1986 audit by adopting an official languages policy. Service to the public is bilingual but dealings with departments are less so. Despite good overall capacity, Francophones tend to be under-represented, and French is too rarely used as a language of work.

The **Royal Canadian Mounted Police** had a difficult year. Its plans to dilute some of its official languages goals were strongly opposed by the Standing Joint Committee and this Office, and the Force had to think again. There were several positive moves at year's end, but it will take a much more sustained effort to give French proper status in the RCMP.

Supply and Services made some progress in 1987 but still failed to correct a few persistent weaknesses. A very high proportion of French speakers (40%) has not led to a more equitable use of French as a language of work. The Department now has an active official languages program, however, and is working hard to tackle both these problems.

Via Rail took a major step forward this year when it finally reached agreement with the Canadian Brotherhood of Railway, Transport and General Workers on assigning bilingual staff to jobs that involve contact with both English- and French-speaking members of the public.

PART IV. THE MINORITIES: STEP UP THE ACTION

Minority News

This was in some ways a remarkable year for Canada's official language minorities. Francophones outside Quebec were given a place at the Francophone Summit in Quebec; the Meech Lake accord referred to the "fundamental characteristic" of language duality across Canada; and Bill C-72 commits the federal government to providing leadership in achieving language rights for minority communities. Other encouraging signs were the improvement of majority attitudes toward the minorities, some efforts to improve schools and other services in the minority language, and implementation in several provinces of Part XIV(1) of the Criminal Code guaranteeing an accused the right to be heard by a judge and jury who speak his or her language.

But preliminary results of the 1986 census show that people of English mother tongue continue to leave Quebec and that most Francophone communities outside

Quebec are steadily losing ground. Canada's fundamental linguistic duality calls for more action to back up the constitutional lip service. Nowhere is the need more evident than in the field of education. Even though six years ago Canada adopted a Charter guaranteeing the minorities the right to instruction in their language and control of their schools where numbers warrant, Francophone parents and associations outside Quebec were still before the courts in 1987 pleading for what most Canadian parents can take for granted: schools that teach children in their own language. Except in New Brunswick and to a lesser extent Ontario, minority French school boards are virtually unknown and homogeneous French schools for minority children few in number. Anglophones in Quebec are also experiencing greater difficulties in retaining control of their schools as the denominational structure of Quebec education loses some of its linguistic force. In renegotiating the federal-provincial agreements in education which expire in 1988, government has the opportunity to give the program the administrative fillip it desperately needs.

Alberta was the centre of two major controversies involving Francophones in 1987. The arrangements for broadcasting the Calgary Winter Olympics in French were found to be inadequate, and a Francophone member of the provincial assembly, Léo Piquette, had great difficulty having his right to speak French recognized by the legislature. Parents in all three Prairie provinces were also involved in disputes or court cases concerning Section 23 of the Charter guaranteeing minority language education.

Debate on the gradual implementation of the French Language Services Act in Ontario and the possibility of the province becoming officially bilingual spilled over somewhat into the provincial election, but application of the Act continued according to plan. The creation of a homogeneous French school board in Ottawa-Carleton was also proceeding apace, and a French school board was recommended for Prescott-Russell. The Supreme Court of Ontario handed down a decision ordering the provincial government and local school board to ensure that facilities in the French-language secondary school in Penetanguishene were comparable to those of its English counterpart.

Quebec Anglophones continued to deplore the failure of the provincial government to modify the signage provisions of Bill 101, and there were persistent difficulties in English-speaking schools faced with reorganizations and closures because of declining enrolments. The Commissioner urges legislative or, if necessary, constitutional changes to permit the grouping of students on the basis of language. Alliance Québec also expressed particular misgivings about the "distinct society" provision of the Meech Lake accord and its potential threat to the individual rights of English-speaking Quebecers.

Acadian groups in New Brunswick made sure that language issues were raised in the provincial election, and the new government's strong mandate should enable

it to move firmly to meet its language goals. An important decision was handed down by the New Brunswick Court of Appeal in the case of the Société des Acadiens du Nouveau-Brunswick et al *v.* Association of Parents for Fairness in Education and School District 50. Its gist was that immersion classes cannot be held to be the equivalent of French-language instruction for the purposes of the minority education rights guaranteed in the Charter. Parents from Nova Scotia and Prince Edward Island also appeared before the courts to claim rights to minority schools in their communities.

There was considerable movement in 1987 at the level of policy but less than might have been hoped for in practical terms. In co-operation with the provinces, the private sector and the general public, the federal government must now take serious action to protect and promote the official languages minorities.

Radio and Television

The year was marked by the inauguration of the first three minority language community radio stations: the CRTC granted licences to French stations in New Brunswick and Ontario and to an English station in Quebec.

This good news was somewhat overshadowed by problems in other areas. As the Calgary Winter Olympics drew closer, it became apparent that many Francophones outside Quebec would be unable to see the Games on television in their language. The Commissioner complained of this to the Parliamentary Committee on Communications and Culture and recommended that, in future, adequate coverage of special events always be provided in both official languages. Although many Francophones outside Quebec will have had to be content with French-language highlights on the CBC's French network, a compromise solution will have enabled some private cable companies outside Quebec to offer the TVA Network's coverage to French-speaking viewers.

Another language problem arose when the CRTC approved the CBC's request for a special English-language news channel. The request included a requirement for a feasibility study of a similar news service in French. There was strong reaction on this issue, and the government intervened to ask for revised plans. What is urgently needed is a national broadcasting policy which will fully reflect the needs of both official language communities.

PART V. OFFICIAL LANGUAGES IN EDUCATION

Program Renewal

Expectations about the use of our official languages in education are very high. Minority language parents want their children taught in their mother tongue and a proper say in how their schooling is organized and managed. Most parents would also like their children to learn the other official language. Aspirations in both

regards are increasing more sharply than the human and financial resources on which their fulfilment depends. Payments made under the federal Official Languages in Education (OLE) Program have tended to decline, in real dollar terms, throughout the 80s.

Although all provinces now offer some programs in French for Francophone children, the network of classes and schools is incomplete, and children are still being denied appropriate access to education in their language. In the area of second-language instruction, demand for French immersion programs has, in some cases, begun to outrun the ability of school boards to meet it. Suitable access to effective second-language programs for all children also remains a problem. **Additional funding must be made available to the OLE Program if the basic constitutional promises to the minorities are to be met without at the same time diminishing the capacity to respond to legitimate demands for the best possible second-language instruction.**

More money, however, is no cure-all; serious efforts must be made to analyse trends and adjust programs to meet growing demands in the most efficient way. Planning must take place at *all* levels — federal, provincial and local — to take into account competing needs and the particular problems of each region, be they teacher shortages, lack of materials or the dispersion of students.

The Commissioner recommends that, in light of problems now being experienced, especially in Quebec, legislative and, if necessary, constitutional changes be made to permit the grouping of students on the basis of language. The Secretary of State, in line with its proposed mandate under Bill C-72, is urged to take a much more active role in the area of official languages in education by co-operating with provincial authorities in collecting and disseminating information on official languages education and planning, and in making this information easily accessible to users of the OLE programs in the provinces.

Post-Secondary Education

Poor access to post-secondary opportunities in French outside Quebec was discussed at the National Forum on Post-Secondary Education in Saskatoon last October as part of a concerted effort to help Canada prepare for the educational challenges of the 21st century.

Though different in scale, planning problems with respect to post-secondary education in the official languages are closely related to more general problems discussed in Saskatoon: better distribution of resources among contending needs and goals; and uneven geographic distribution of potential clients, which inevitably aggravates problems of access to higher education. Outside Quebec, there are very few even partially French institutions, and Francophones in the other provinces most often attend a bilingual university or college or enrol in an English-

language institution. **We recommend that the Secretary of State's Department, in co-operation with the Council of Ministers of Education, give careful consideration a) to increasing support and funding to existing post-secondary institutions for Francophones outside Quebec which play or may play an important regional role; and b) to creating new institutions where they are needed.**

Another group to be considered when discussing post-secondary education in French are the immersion and other English-speaking high school graduates who have become proficient in French. Large numbers of bilingual Anglophones are expected to enter university in the next few years; it is important that their French-language needs be properly assessed now. The necessary research and analysis has barely begun.

English-speaking Quebecers also have their share of post-secondary problems. Outside Montreal there are few English CEGEPs or community colleges and, where English programs are available within a French CEGEP, program choices are few and enrolments low.

"The Spirit of Saskatoon" calls for the orderly but imaginative adaptation of Canada's higher education system to the needs of the future. The official languages aspect of that adaptation is likely to prove as critical to national development as almost any other aspect we can think of. **We strongly recommend that equal access to post-secondary education in English and French be considered a key goal in the consultative and planning process launched at the National Forum in Saskatoon.**

COMMISSIONER OF OFFICIAL LANGUAGES
COMMISSAIRE AUX LANGUES OFFICIELLES

ANNUAL REPORT 1987

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Cat. No. SF1-1987

ISBN 0-662-55573-2

The Speaker,
Senate,
Ottawa

Mr. Speaker,

Pursuant to Section 34(1) of the Official Languages Act, I hereby submit to Parliament, through your good offices, the seventeenth Annual Report of the Commissioner of Official Languages, covering the calendar year 1987.

Yours respectfully,

D'Iberville Fortier
Commissioner of Official Languages

March 1988

The Speaker,
House of Commons,
Ottawa

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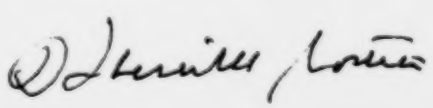

D'Iberville Fortier
Commissioner of Official Languages

March 1988

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Preface

Our last Annual Report said that 1987 would be the "year of the test", one in which the legislative and administrative renewal of our language program awaited since 1982 might finally get under way. One year later, can we report that government passed the test? Well, not exactly: the seeds have certainly been sown, but the harvest is still to come.

For instance, the Meech Lake accord reaffirmed the fundamental importance of Canada's linguistic duality and brought with it the hope that Quebec would, once again and by general consent, be part of the constitutional fold. How otherwise could we speak of a united Canada? Despite its imperfections, the accord is a major step in the right direction.

Moreover, in June, the government tabled an Official Languages Bill which was generally very well received. It thus began to deliver on a promise which, alas, was still unfulfilled at the close of the year. It is our hope that Bill C-72 will be adopted without undue delay after the careful examination it deserves. Before it can become fully effective, however, the new Act must be fleshed out with regulations on a number of crucial points, such as the exact definition of "significant demand" where service to the public is concerned.

However, by consolidating the constitutional provisions of a parliamentary resolution and incorporating some of the recommendations of interested parties, this new law strengthens the rights of Canadians and promotes renewal by rationalizing government objectives and methods. It will also meet the expectations of Canadian society by more clearly defining the role of the central government in a federal system with two official languages and, in the process, it will strengthen the national partnership.

I should like to pay tribute to my predecessors for not waiting for the legislators to assert the unity of this grand design, of which official bilingualism of the state is still only one aspect, however important. Individual bilingualism must always remain a matter of personal choice.

A Multiculturalism Bill, already tabled in the House, a forthcoming Citizenship Bill, and a thorough review of the Broadcasting Act, are all destined to take their place alongside the new Official Languages Act as parts of a legislative battery that will reinforce Canadian identity in the crucial context of free trade. Despite

the exemption of our cultural industries, the dynamics of a broader North American market are going to require an even sharper watch and specific policies to ensure that the delicate balance between our two official languages is not affected. These legislative acts will be judged on their merits, but if each truly plays its part, there is no doubt that, taken together, they address an essential national need.

On the other hand, it must be said that government's actual performance this year was less remarkable. Indeed, it was, with some exceptions, somewhat lacklustre. It took a lot of effort by the Parliamentary Standing Joint Committee on Official Languages, and by this Office, to stir a new linguistic conscience in the federal administration and to keep it alive. One need only read the reports and transcripts of the Committee to realize how irregular, how inadequate and, sometimes, how disrespectful of Parliament and public the application of the Official Languages Act can become in the hands of certain federal institutions. We hope that the few but promising initiatives taken by the central agencies, mainly in the fall, mark the start of a renewal that will blossom in 1988 in a way that is worthy of the objectives set out in Bill C-72. At present, the effects of the new start have scarcely begun to be felt by the official languages minorities, who should by rights be its first beneficiaries.

There were some signs of greater open-mindedness this year in several provinces. In most instances, however, we are still far from achieving fairness in education or practical recognition of the obligations to their minorities which the provinces accepted in the Canadian Charter of Rights and Freedoms and the Meech Lake accord. Current negotiations to renew the federal-provincial agreement on the Official Languages in Education Program, like those on provincial services in the minority language, take on enormous symbolic and practical importance in this regard.

The various judiciaries have continued to clarify existing language rights, and their 1987 rulings produced what seemed to us some progress. We now await several landmark decisions by the Supreme Court. The most important concern the question of *where* certain historical constitutional rights apply (the language regimes of Saskatchewan and Alberta, in particular); the provinces' educational obligations under Section 23 of the Charter; and whether the signage provisions of Quebec's Charter of the French Language (Bill 101) are constitutionally valid. Again, more like seed-time than harvest-time; the test still has to be completed!

There are enough harbingers of better things to come, however, to dispel the notion that, in language reform, everything must perpetually start from scratch, like the notoriously uphill task of Sisyphus. Our North American faith in endless progress has perhaps flagged a little over the years, but not the trust in our ability to create more productive social relations in this country. Which is why we are not ashamed, on the threshold of this second act in Canada's official languages drama, to assert three main goals: *equality, quality and continuity*.

- *Equality* is proclaimed in the Constitution and in the Act.
- *Quality*, in either English and French, is what we are entitled to: in the written and spoken word, in public services, in minority and second-language instruction, and in government's management of the program.
- *Continuity* lies both in the will of our political and administrative leaders to play the game fairly and to provide the necessary resources, and in the will of individuals and groups to see to it that they get their due from those who are supposed to serve them.

This Report follows its traditional format but with a special emphasis on the future, for which it offers some specific recommendations. Contrary to some fears, our purpose is not to foment a linguistic revolution, but rather to build a new beginning on the substantial progress which has already been achieved.

D'I. F.

PART I

The National Agenda

Affairs of State: Ready for Take-Off

For many Canadians 1987 was a year for some searching second looks at their national values. From our standpoint, it was less remarkable for any dramatic breakthrough into the Promised Land than for its opportunities to consider official language policy in relation to other Canadian ideals. The situation lent itself not just to wondering what might be in store but also for staking out some constitutional, political, economic and social markers to guide us into the future. The prospect of a free trade arrangement with the United States, the renewal and redirection of our ties with the Commonwealth and *la Francophonie*, a Constitutional Accord acceptable in principle to Quebec *and* the other provinces, an Official Languages Bill, a Multiculturalism Bill, and the possibility of new laws and policies affecting communications, broadcasting, citizenship and immigration, all seemed to suggest a readiness to strike out towards a culturally self-confident and competitive new Canada for the 21st century. But it was also clear that we needed to take a cold look at the priorities and compatibilities among all these alluring prospects, and at what present performance tells us about the chances for making them come true.

Climate of change

A long-drawn-out review of the constitutional, legal and administrative bases for federal action to respect English and French has at last produced a comprehensive new Official Languages Bill. Before examining it more closely, let us consider the overall climate of change within which it must find its place. Official bilingualism as a national goal has different meanings and implications for various individuals and groups in Canadian society. It makes good sense to discuss those differences in the light of some other notions of what Canada is trying to become. The basic rationale for Canada's language policy lies in the history of the country's development, in its contemporary demography and, most importantly, in our sense of what the state can usefully do to equalize the treatment of its two main languages on a national basis. It is debatable whether a sufficiently strong and cohesive Canada can be developed so long as significant segments of either language group feel they are not getting an equal chance to make their contribution in their own language and in their own way. On this depends the program's sense of popular legitimacy, and on that depends, in good measure, what can be done in its name.

One of the most heartening trends of recent years has been the steady growth of public support for language reform in Canada. Official, media and public attitudes are far from uniform, but there are too many encouraging signs to attribute them all to blind chance. To name only the more obvious 1987 instances, we note and applaud: a generally bilingual approach to the Calgary Winter Olympics; the holding of a thoroughly bilingual National Forum on Post-Secondary Education in Saskatoon; a continuing dialogue between the principal English-speaking and French-speaking minority associations; regular interaction among parents, youngsters and educational and other specialists of both official language groups; sensible and moderate media comment; and something like a popular refusal to allow bilingualism issues to becloud either the New Brunswick or Ontario provincial elections.

Yet it may be a little early to speak of a new or second wave of support. There were undercurrents of anxiety and dissent at both federal and provincial levels; a number of people are not yet persuaded that a two-language regime is realistic and affordable, or that the existing regime needs to be rationalized and reinforced. Some Canadians seem to be genuinely worried that, notwithstanding constitutional and legal assurances to the contrary, the rights of some individuals or groups could be threatened by state bilingualism. Nothing would be more misguided than to gloss over these concerns. They are, in many respects, at the very heart of what we are trying to do, namely to make Canadians of both groups more intelligible and more sympathetic to one another.

Not unexpectedly, the degree of assent or dissent to language equality varies according to the distribution of the two communities across Canada. Is not the very notion of federalism intended to allow for such differences? One symptom of this diversity was the range of responses to the question whether a particular province ought to recognize English and French as official languages so that provincial services might then be offered in both languages. A nation-wide Gallup Poll sampling of 1,041 Canadian adults last September produced the following results to what, it must be admitted, is a rather a double-edged question.

Table I.1

Responses of adult Canadians to the question: "Do you think that this province should have two official languages — English and French — so that government services are provided in both languages?"

	Yes %	No %	Don't know %
National	52	45	3
Atlantic	66	34	—
Quebec	73	23	4
Ontario	49	48	3
Prairies	33	63	4
British Columbia	29	70	2

Source: Gallup Poll

Free trade implications

The proposed Canada-United States trade agreement is meant to strengthen Canada's position in world markets and lead to "a richer Canada, a Canada which can afford to maintain and enhance the quality of life through and for Canada's cultural endeavours." We take those words to mean that an economically stronger Canada will be in a better position to promote its cultural uniqueness, notwithstanding any "Americanizing" pressures which a trade deal might bring with it.

One can see that the authors of the agreement have had the official languages in mind in negotiating certain sections. The use of "National Treatment" as the key principle underlying the agreement means that Canada can continue to develop and implement measures governing the use of English and French provided that such measures are applied equally to suppliers from both countries. The explanatory text accompanying the agreement clearly specifies, for instance, that nothing in it "prevents Canada from requiring bilingual labelling of goods, so long as both domestic and imported goods meet the same requirements." Article 2005 also provides some measure of reassurance in that it specifically exempts "cultural industries" (film and video, music and sound recording, publishing, cable transmission and broadcasting) from its provisions.

The challenge in this regard stems not from the text of the agreement but from difficulties inherent in the relative size of our English and French markets, for instance when it comes to the impact of computer software on information services of all kinds. To offset the economies of scale that are available to English in those services, or even in the exempted cultural industries, the French market in Canada, with the support of government, has to look to compensating domestic arrangements or agreements with other Francophone countries. The principle of fairness to both official language groups makes it imperative that government retain the flexibility it needs to intervene on behalf of cultural endeavours, or products, where English and French may be affected differently. Only in that way can the anticipated economic benefits truly "enhance the quality of life through and for" Canadian values.

Meech Lake accord

Although the language aspects of the Meech Lake accord which most concern us are intended to provide interpretative guidance to other aspects of the Constitution, they too could have a considerable impact on the English-French climate in this country. Briefly, they are the following.

1. (a) Recognition that the existence and interweaving of our English-speaking and French-speaking communities is "a fundamental characteristic of Canada"; and

   (b) "that Quebec constitutes within Canada a distinct society".

2. "The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic referred to in 1(a)."

3. The role of the legislature and Government of Quebec "to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b)".

It was evident both in presentations to Parliament and to the National Assembly of Quebec that the possible interactions of these principles left them open to divergent practical readings and that, should they be ratified as they stand, the courts will have their work cut out to determine how much any one principle ought to have precedence over any other, or for that matter, over other aspects of the Constitution. It is incontrovertible to the point of truism that there exists a language duality of the kind described and that it has long been fundamental to the nature of this country. Since Parliament and the provincial legislatures propose to commit themselves to its preservation, they presumably also acknowledge that any significant erosion of this characteristic threatens the fabric of the nation.

Nor does the statement that "Quebec constitutes within Canada a distinct society" seem to us at odds with observable sociological reality or an honest sense of Canadian history. But both statements are much more than a recognition of the obvious. The "distinct society" declaration is explicitly joined with an affirmation of the role of the Quebec legislature and government "to preserve and promote the distinct identity of Quebec". Two aspects of that proposition give us pause: first, there is no further indication of what characterizes Quebec's distinctiveness; and second, Quebec's particular role in *promoting* it is noticeably added to the role of preserving language duality assigned to all levels of government.

For our part, we feel bound to ask two or three basic questions in this regard. Where does this leave the admittedly broad constitutional statement of the Charter of Rights and Freedoms that "English and French are the official languages *of Canada*"? [Section 16(1), emphasis added]. What is the constitutional, as distinct from legislative, role of the government of Canada with respect to the preservation *and* promotion of both official languages in Quebec or anywhere else? Surely it extends beyond the constitutional commitment to preserve the minority communities, however important that may be in itself. The official answers to these concerns have suggested that the legislative approach is sufficient — an argument which, in our view, is less than fully convincing.

The underlying issue is one of competing interests and competing needs. The shrinking demographic base of French in North America puts it in a very vulnerable position, and the well over six million Canadians who consider French to be their mother tongue (85% of them in Quebec) have long felt the need for a greater say in controlling their linguistic destiny, along with greater support from both levels of government. Surveys indicate that the legitimacy of that need is increasingly recognized by many English-speaking Canadians. But they too must be convinced that what is done to respect the special needs of French does not downgrade the legitimate needs of their linguistic compatriots in Quebec. That is not to say that the problems of the two minorities are either identical or symmetrical — they are not, but the fact that the English-French equation in Canada is a complex one is no justification for fudging it. It is no secret that there are extreme positions on both sides or that more radical alternatives continue

to be canvassed. But a majority of Canadian electors and a majority of their elected representatives remain firmly opposed to a straight territorial solution to Canada's special linguistic dilemma, as being, in the end, a recipe for national suicide. With all its imperfections, some form of official bilingualism is the only answer that does not point toward a progressive dismemberment of Canada.

The language sections of the Meech Lake accord are an honest attempt to address that issue. But, much as we must welcome Quebec's whole-hearted adherence to the Constitution of Canada, the relevant paragraphs of the accord do not, as now formulated, present a completely satisfactory balance between the general commitment to preserve duality and the specific affirmation of Quebec's role to preserve and promote its distinctiveness. What may look like a difference of a couple of syllables could affect the general language equilibrium in this country. As we urged in our brief to the Special Joint Committee on the 1987 Constitutional Accord, the word "promote" or its equivalent should have been placed in both parts of the formula and apply to both official language minorities throughout Canada. The distinctiveness of Quebec society also seems to us inseparable, both in historical and contemporary terms, from the contribution of the English-speaking community in that province and should be recognized as such.

A new Official Languages Act

Both the preamble and the substance of the proposed new Official Languages Act, Bill C-72, make it very plain that the federal government is squarely in favour of promoting as well as preserving both English and French everywhere in Canada so far as it lies within its power to do so. However, this remains an important proviso. The Bill is a long-awaited signal that the principles of equality for English and French are due to be reinforced in federal law and practice. Parliament also seems ready to commit this country unequivocally to ensuring equal respect of both languages in other areas. The blueprint for achieving those goals is impressive on the page, but it remains to be demonstrated that the federal builders really have all the tools to finish the job.

Federal performance

A major federal goal over the last 18 years has been to enable Canadians of both groups — notwithstanding their relative weight in the local population — to feel they are treated with equal consideration by and within federal institutions. The state promises that, while numbers are not irrelevant, they shall not be made a pretext for inequities of public treatment. That is the bottom line of the Official Languages Act, and it is against that, year in year out, that we assess its effectiveness. We are compelled to say that, even if the second semester was noticeably more promising than the first, 1987 was a year of only moderate federal performance, as was abundantly demonstrated by the hearings of the Standing Joint Committee. In general, it was another year of transition, and both official languages communities have reason to assert that they received less linguistic consideration than they are entitled to by law. For that, as we told the President

of the Treasury Board in a letter last April, we must hold the program's general manager largely responsible. The slowness of that agency to provide leadership and direction to a program of practical renewal has cost us dearly in lost momentum and institutional malaise. On the other hand, there were enough administrative stirrings toward the end of the year to suggest that the intermission is over and that the curtain may at last be rising on a more active federal scene.

Beyond the federal sphere

Predominantly English-speaking provinces

The language scene in the predominantly English-speaking provinces and territories was unusually lively in 1987 as more of them began, however modestly, to come to grips with constitutional and other commitments to deal in a fairer way with their French-speaking minorities. The dominant activity remains the efforts of parent groups and community leaders to prevail upon provincial and local education authorities to put more imagination and conviction into their commitment, set out in Section 23 of the Charter, to provide minority language education that is tailored to minority needs and in whose management the minority has a proper say. The process is gradually moving in the right direction but often in such a reluctant and lacklustre fashion, and at such an expense in parental badgering, both legal and political, that one wonders whether a province's heart is really in it.

The issue of how to accommodate the use of French in the legislature, in the courts, and in provincial and even municipal, services also came up again and again, notably in Alberta, where Francophone MLA Léo Piquette's struggles to gain even symbolic recognition for the use of French in the provincial legislature became a national *cause célèbre* in which even the Prime Minister felt obliged to intervene. All things considered, however, the public response to minority concerns was somewhat more honourable than in the past.

Quebec

As both the Meech Lake accord and Bill C-72 attest, reconciliation of the competing needs of English and French has ceased to be a purely federal prerogative. If there is one fact that many English-speaking Canadians know about Quebec, for instance, it is that French is the province's only official language. This, understandably, is hard for them to reconcile with the notion that Quebec remains, in general but very real terms, Canada's most bilingual province.

After the welcome passage last year of Bill 142, which guarantees health and social services in English, the hottest issue in Quebec again became the question of bilingual commercial signage: the right of merchants, particularly in Montreal, to advertise in and outside their stores in a language other than French, which for all intents and purposes means English. Despite the apparent superficiality of this issue, its constitutional, legal and symbolic implications are now being examined by the Supreme Court of Canada. It certainly epitomizes much that is frustrating about putting language law into practice: the flare-up of feelings, the partisanship, the tendency for positions to harden along language lines. This is not the sort of atmosphere which naturally lends itself to policy decisions that

are sensible as well as just. The fact that the Quebec government has publicly agonized over its options largely reflects the variety of language constituencies it is trying to take into account.

It remains disturbing, from our point of view, that the self-confidence of French in Quebec is still so uncertain that the use of Canada's other official language (the main home language of more than one in five metropolitan Montrealers, according to the 1981 census, for instance) must be severely limited. We trust that most Canadians can see the legitimacy of giving pride of place to the majority language of the province and of positively encouraging its recognition and use in as many social contexts as possible. But the salvation of French, in Quebec or elsewhere, must surely lie in positively asserting its own demographic weight, cultural vigour and innate attractiveness, and not in humbling the competition.

Private sector

Even as Bill C-72 proposes legally to embrace the private sector — at least to the extent of actively helping it do its part for language equality — the sector itself, assisted by a small team in the Secretary of State's Department, has been paving the way toward a genuine new collaboration. The aim is to have as many national business and voluntary associations as possible subscribe to basic policy rules for dealing more even-handedly with their member organizations and, through them, with their Anglophone and Francophone clients. A number of associations have now developed useful policy guidelines, and the Secretary of State and the Canadian Chamber of Commerce have brought out useful publications. The principal link in this chain, the Canadian Society of Association Executives, has set up a task force to review private and voluntary sector needs and make recommendations to the Secretary of State early in 1988. The question that confronts it is to determine how best to make use of the federal expertise, services and limited funding that could be made available. As we shall see when we discuss costs, the corollary to that question is whether the government has official languages resources to spare.

Canadian Council on the Official Languages

One intriguing idea which accompanied the tabling of Bill C-72 was that mutual respect among official languages groups could be further enhanced if government could regularly test the waters of informed opinion and float alternative policy ideas with a small but representative selection of Canadians, a Canadian Council on the Official Languages. Government has wisely devoted a good deal of time, both in the run-up to Bill C-72 and later, to listening to the concerns and reactions of Canadians where English-French and other cultural relations are concerned. This must, of course, be a continuing process. Unless we are much mistaken, it found that there are many heart-felt but not totally compatible views abroad, and that most people tend to think of language equality, or multiculturalism policy for that matter, in trade-off terms. It would be foolish to imagine otherwise. At the same time, this may tend to handcuff government policy-makers when it comes to placing their bets. Trade-offs there must undoubtedly be, but playing the field with linguistic and cultural interests can be a long-term loser for everyone concerned.

Insofar as a Canadian Council confines itself to the mission of promoting the official languages in Canadian society, and insofar as it gives a special ear to the official languages minorities, whose voices are too easily drowned out in a broad consultative framework, and does not supplant their leaders as their genuine spokespersons, then the proposal may have value. But given the very sensitive nature of this area and the many expectations that are wrapped up in it, we strongly suggest that the proper role of a Canadian Council on the Official Languages, if there is to be one, is not simply to harvest more or less compatible opinions but, more importantly, to contribute imaginatively to supporting program goals and suggesting practical solutions to the many problems involved.

Multiculturalism

Government has let it be known that it sees the Official Languages Bill, the Multiculturalism Bill and a forthcoming bill on citizenship as a triad of measures which, taken together, can make sweet music of the relationships among Canadians. There is no doubt that they are thematically related in a number of ways or that they must be harmonized among themselves and with other aspects of Canada's vision of itself. The difficulty, of course, is that the national values which are embodied in bilingualism, multiculturalism and citizenship are not identical, so that having set up both positive and negative reverberations in this cultural chord, the policy-makers must be prepared to resolve them.

In producing a Multiculturalism Bill that was richer in policy than in legislative terms, government set aside many of the recommendations of a joint parliamentary committee that had, among other things, recommended a full-fledged Ministry of Multiculturalism and a Commissioner for multicultural matters with ombudsman powers similar to our own. The policy substance of the Bill was perceived by some media observers as simply a legal endorsement of policies and programs that have been in existence for some years and which already have some difficulty meeting their expectations. However, the multicultural associations, while disappointed to varying degrees with the Bill, seem in the end to have appreciated that it represents an important advance for their interests.

The linguistic and cultural make-up of Canada cannot help but evolve. We are trying to strike a healthy balance between our institutional history — our sense of cultural continuity — and the development of a dynamic but cohesive new Canada. In heaven's eyes all languages and cultures are equal, but the laws of nature and of nations are less absolute. The proposition that Canada should evolve, institutionally speaking, as a multicultural but bilingual nation is fraught with ambiguities for the simple reason that languages and cultures are, to some degree, inseparable. We can only repeat that the *national* respect and support which is due to the many languages other than English and French which are spoken in Canada cannot be the same as those given to our official languages. That could never work, and actively or passively to encourage new Canadians — including, incidentally, those of British or French stock — to believe that their cultural

behaviour need suffer no significant adaptation toward Canadian norms is to do them a serious disservice. Many other language groups, beginning with the Native peoples, have contributed much, and should contribute even more, to the special cultural richness in which most Canadians rejoice. It is important that the state recognize that contribution and encourage the diversity that helps to make us the people we are.

The question is not whether an ideal of multiculturalism is fundamental to the Constitution but in what sense and with what practical consequences. Our sincere wish that there be no discrimination among individual Canadians on the basis of their ethno-cultural origins cannot alter the fact that we also aspire to be — even more fundamentally — an English- and French-speaking nation. So, when Bill C-93 says that "WHEREAS the Constitution of Canada and the Official Languages Act provide that English and French are the official languages of Canada . . .", the minister responsible for multiculturalism may "facilitate the acquisition, retention and use of all languages that contribute to the multicultural heritage of Canada", we must be clear what these in some ways "opposed" propositions add up to. They cannot mean that, at the national level at least, those languages are entitled to the same institutional treatment — and promotion — as the official languages. What they should mean is that it is in the national interest that individual Canadians be permitted and enabled to acquire, retain and use those languages to the extent that the fundamental bilingualism of our institutions makes this feasible and affordable. There is, after all, a nationally compelling need first to acquire, retain and use at least one of our two official languages.

Between the so-called "melting-pot" approach to ancestral languages and a linguistic free-for-all there are many possible shades of institutional support. Encouragement of "heritage languages" within our public school systems, for instance, whether as bridges to official language education or as second or third language studies that are economically or culturally worthwhile in their own right, seems to us both honourable and productive. This cannot, alas, alter the inescapable economics of student numbers, school programming and affordable educational costs. We share the view that we are still a good way short of doing what Bill C-93 proposes to prohibit ethnic and cultural discrimination and to do so in a positive and workable way. The danger, in this case, may be less one of reconciling this goal with that of bilingualism than simply of reconciling all our many notions of cultural pluralism one with another.

Language demography

Let us then consider the language attributes of the Canadian people, on whose behalf our constitutional abstractions and institutional efforts are made. If the latter are more than idle gestures, we must be intensely interested in knowing what effects Canada's language reforms are having on the relative value that Canadians attach to the use of English and/or French as they go about their daily lives. Each of our Annual Reports is to some extent a running commentary on the effectiveness

of federal and other language programs in this regard, but we have to depend — perhaps excessively — on our now five-year census cycle to add some statistical precision to professional guestimates.

Census 1986

In July 1987 Statistics Canada published the second in a series of major data releases from the 1986 Census. It contained information on the mother tongue composition of the Canadian population and described the trends since 1951. (A final major data release planned for spring 1988 is expected to include the main data and trend analyses on those questions having to do with the "home language(s)" and individual English-French bilingualism.) As defined in the Canada Census, the notion of mother tongue is a somewhat ambiguous measure of identification: first, because a certain number of people feel they acquired more than one language in their infancy and still understand them; second, because the ability still to understand one's mother tongue says too little about either one's ability or one's opportunity to use it.

Mother tongue statistics

People can and do change, both linguistically and culturally, as their lives progress, but estimating the vitality of Canada's official language communities must begin somewhere and the most fundamental benchmark of language identity is still the language(s) learned in the very act of acquiring language as such. On that basis, there is no doubt that French has been steadily losing ground to English in Canada since the Second World War. From some 29% of the mother-tongue population in 1951 it had dwindled to roughly 25% in 1986 and looks likely to fall even further by the year 2000. The good news was that French seems for the moment to be holding its own in those areas where mother-tongue Francophones are most concentrated, in Quebec and northern New Brunswick. In the National Capital Region, too, the French population remains strong around the 35% mark. Virtually everywhere else, however, as Table I.2 shows, the decline of the Francophone minorities is unmistakable, at least in proportional terms. A general decline in the birthrate among French-speaking Canadians, who are less able than their Anglophone compatriots to count on immigration to make up the difference, is becoming one of the main threats, not only to the Francophone community but to the overall language balance in Canada.

In more absolute terms, French-language communities outside Quebec increased by 4,000 souls since 1981, but the English-language communities in Quebec fared worse: down by over 27,000. Nor is this simply a recent phenomenon: in 1941, which is the earliest year for which there are comparable data, the English mother tongue population accounted for 14% of the Quebec total; in 1986 it was closer to 10%. This general trend toward linguistic polarization on territorial lines may mask more positive language realities, but it also underlines how critical is the Meech Lake commitment to a concerted effort to preserve a broader duality.

Augmenting census data

Some have long felt that we should not limit our analyses of official languages demography to the information that can be derived from the census. The Interdepartmental Committee on Language Statistics, which brings together

Table I.2

Language composition by mother tongue[a] for Canada, provinces and territories, 1981 and 1986

	English		French		Other		Total	
	1981	1986	1981	1986	1981	1986	1981	1986
Northwest Territories	24,760 (54.1%)	28,905 (55.3%)	1,235 (2.7%)	1,420 (2.7%)	19,745 (43.2%)	21,920 (42.0%)	45,740	52,245
Yukon	20,240 (87.4%)	20,930 (89.1%)	580 (2.5%)	620 (2.6%)	2,325 (10.0%)	1,950 (8.3%)	23,145	23,500
British Columbia	2,249,310 (82.0%)	2,366,805 (82.1%)	45,620 (1.7%)	45,845 (1.6%)	449,540 (16.4%)	470,725 (16.3%)	2,744,470	2,883,375
Alberta	1,810,545 (80.9%)	1,946,725 (82.3%)	62,145 (2.8%)	56,245 (2.4%)	365,035 (16.3%)	362,860 (15.3%)	2,237,725	2,365,830
Saskatchewan	770,815 (79.6%)	827,250 (81.9%)	25,540 (2.6%)	23,720 (2.3%)	171,955 (17.8%)	158,655 (15.7%)	968,310	1,009,625
Manitoba	735,920 (71.7%)	780,015 (73.4%)	52,555 (5.1%)	51,775 (4.9%)	237,760 (23.2%)	231,220 (21.8%)	1,026,235	1,063,010
Ontario	6,678,765 (77.4%)	7,097,920 (78.0%)	475,605 (5.5%)	484,265 (5.3%)	1,470,735 (17.1%)	1,519,505 (16.7%)	8,625,105	9,101,690
Quebec	706,110 (11.0%)	678,785 (10.4%)	5,307,015 (82.4%)	5,408,980 (82.8%)	425,280 (6.6%)	444,695 (6.8%)	6,438,405	6,532,460
New Brunswick	453,310 (65.1%)	462,935 (65.3%)	234,030 (33.6%)	237,570 (33.5%)	9,060 (1.3%)	8,940 (1.3%)	696,400	709,445
Nova Scotia	793,170 (93.6%)	818,905 (93.8%)	36,025 (4.3%)	35,810 (4.1%)	18,250 (2.2%)	18,450 (2.1%)	847,445	873,165
Prince Edward Island	115,045 (93.9%)	119,175 (94.1%)	6,085 (5.0%)	5,920 (4.7%)	1,380 (1.1%)	1,555 (1.2%)	122,510	126,650
Newfoundland	560,465 (98.7%)	561,300 (98.8%)	2,655 (0.5%)	2,670 (0.5%)	4,560 (0.8%)	4,375 (0.8%)	567,680	568,345
Canada	14,918,460 (61.3%)	15,709,650 (62.1%)	6,249,095 (25.7%)	6,354,840 (25.1%)	3,175,625 (13.0%)	3,244,850 (12.8%)	24,343,180	25,309,340

[a] Includes multiple responses: i.e. individuals who report having more than one mother tongue.

Source: Statistics Canada, 1986, Summary Tabulation

representatives of federal bodies whose work requires a good appreciation of Canada's linguistic and cultural make-up and which began meeting in 1986, came to the same conclusion. It soon recognized that the census is a rather blunt instrument for determining the relative status and use of the official — or other — languages in Canada, no matter how the census questions are formulated or the answers interpreted. To get somewhat closer to these realities, the Committee successfully proposed that the General Social Survey of 1986 include nearly 100 questions which, using a weighted sampling of some 16,500 Canadians, would enable us to describe their language experience and expectations in greater detail. A complete analysis of the results will be available by spring 1988.

Program costs

Over the years it has been dawning on successive federal governments that the cost of aspiring to equal treatment of English and French is not just a continuing but, potentially at least, a growing cost. In practice, as Table I.3 shows, real official languages expenditures (in constant dollars) have declined by over 20% in the last eight years. They have declined even more as a proportion of total federal spending.

Table I.3
Official languages expenditures in current and constant dollars, 1979-80 to 1987-88

	Outside the Public Service $000s		Within the Public Service $000s		Total $000s	
Financial year	Current	Constant[a]	Current	Constant	Current	Constant
1979-80	196,287	94,807	194,135	93,767	390,422	188,574
1980-81	202,943	78,742	212,677	82,519	415,620	161,261
1981-82	210,917	72,977	237,267	82,094	448,184	155,071
1982-83	210,307	68,560	246,601	80,392	456,908	148,952
1983-84	217,741	67,718	236,845	73,659	454,586	141,377
1984-85	241,842	72,311	254,611	76,129	496,453	148,440
1985-86	253,556	73,652	251,611	72,212	505,167	145,864
1986-87	257,864	70,913	246,776	67,863	504,640	139,634

[a] The base year for establishing the "constant dollar" value is 1970-71, the first year in which the Official Languages Act was in force.

Source: Reports from the departments and agencies concerned.

Cost statistics, like any others, can be presented in many lights. In one light, half a billion dollars a year or $1.3 million a day seems a huge price to pay for official languages education and state bilingualism. But we react rather differently

to the idea of 20 dollars per Canadian per year — or a nickel per head per day. Is that really such an unconscionable sum in a large, developed country, one-quarter of whose population is fundamentally French-speaking?

The answer is that we cannot evaluate our language policies in terms of simplistic statistics. What we should be asking ourselves is whether Canada's total investment in interlinguistic respect is 1) sufficient to that goal and 2) well-spent. The question of sufficiency can only be properly answered by costing the alternatives. Is it so plausible, as some contend, that a Canadian federation could operate more cheaply by confining the costs of bilingualism to the National Capital Region and to Quebec? And how long would such a federation last? Between such models of "bilingualism on the cheap" and "the sky is the limit bilingualism" there is, in our view, a happy medium of responsible investment in serious language programs, which is to say programs whose social implications and interactions have been thought through with the sort of systems rigour that we would apply to a space program or a health program.

Canada has been learning in the last 18 years that an official languages regime — and particularly one that must, as much as politically and humanly possible, harmonize with provincial and other language policies — cannot be an exercise in short-term political improvisation. As we prepare once more to consecrate ourselves to new constitutional, legal and economic commitments, we must make the effort to realize that the worst sin, in cost terms, is not to spend the money necessary but to spend it without taking due account of the interaction between various component parts. This can happen at any time and in any aspect of the official languages program: by providing certain bilingual texts to bilingual employees who do not need them or by failing adequately to extrapolate the need for English or French teachers to cover all the new needs in minority or second-language education. We had some interesting exchanges with the federal authorities on the economics of official languages in 1987, but none persuaded us that they have fully apprehended the need for more and better planning.

Recommendations

- **We recommend that Treasury Board ensure ongoing and thorough projections of the interactions among official languages programs and correspondingly thorough analyses of future program options.**
- **We recommend that the overall funding of federal official language programs be reviewed to determine whether it is sufficient to meet the stated objectives, particularly in education, and that the balance of funding among programs be adjusted, if necessary, to take account of the linguistic changes taking place in the federal administration and in the country as a whole.**
- **We recommend that government pay particular attention to the implementation of those aspects of a Canada–United States trade agreement that are liable to affect the status and use of English and French in Canada.**

Bill C-72: An Act of Maturity

At the end of 1987, Canada was still subject to the 1969 Official Languages Act. It may be that when these words are published a new Official Languages Act will have taken its place or be about to do so. The need for a clearer, better and more comprehensive law has been apparent for well nigh a decade. In particular, there was a need to consolidate Canada's official languages law by incorporating into it the principles enunciated in the Canadian Charter of Rights and Freedoms and the provisions of the 1973 Parliamentary Resolution on language of work and full participation of the two official language groups in the Public Service. Both the spirit and the wording of the language clauses of the Meech Lake accord, which remains to be endorsed by several provinces, suggest that this is a particularly good time to spell out the legal and administrative implications of our fundamental constitutional undertakings. This may not be easy, but it makes all the difference if we do so in the present climate of national confidence and reconciliation.

After considerable delays, the Government introduced a complete and forward-looking Bill respecting the official languages of Canada last June. (See Appendix B for an overview of the principal differences between the 1969 Act and Bill C-72.) The initial response from interested parties was welcoming enough to indicate a high level of consensus and approval. However, the fact that the Bill had not been given second reading before Parliament recessed at the end of the year caused some observers to wonder whether the Government's legislative strategy was fully consistent with its earlier commitments in this respect. Naturally, we hope that this is not the case but we cannot help worrying that further delays may put the Bill at serious risk. For present purposes, we will suppose that the legislative process will have respected and perhaps even technically improved the Bill. What then does it mean and what will it be capable of doing for Canadians?

Premises

The Bill comes complete with a 10-point preamble and a three-point statement of purpose. While these have no executory force, they represent a strong statement

of national policy and shed a most illuminating light on the expectations which Parliament wants Canadians to attach to the working body of the Bill. A linchpin of Canada's Constitution is that English and French enjoy *qualitative* equality in their recognized national status, in their maintenance and vitality within their respective communities and, to the extent that a federal system permits, in their use by Canadian institutions generally. There are still more specific administrative conclusions that might be drawn from the opening statement of Section 16(1) of the Charter that "English and French are the official languages of Canada", but if there were ever any question that this is an essential item on our national agenda, Bill C-72 should lay that question to rest once and for all.

The 40-odd pages forming the body of C-72 make it clear that equality of that kind is a far-reaching and demanding proposition. They demonstrate three things: that there is no important dimension of the federal administration where the writ of English-French equality is not expected to run; that the effort to attain equality calls for both detailed and well-monitored administrative programming and for a wide range of promotional initiatives; and that in the last resort it is for the courts and for Parliament to decide whether the law is really doing its job. That job is to see to it that, insofar as the government has a say in the matter, English-speaking and French-speaking Canadians can enjoy comparable freedom in making their own official language choices and in influencing those of their children.

Looking at the Bill as it was tabled in June 1987, we noted a number of points that still needed some clarification or reinforcement but we were generally satisfied that it would give all the players ample equipment with which to tackle the weaknesses in the present program: weaknesses of leadership, direction, co-ordination, specificity, and ultimately a certain lack of judicial "teeth". Invigorating leadership is to be found not only in the preambular organ tones but in a now legal and specific undertaking to work with the provinces, the private sector and other parties to defend and develop the official language minority communities and to advance both English and French in every way possible. This important and exhilarating new dimension to our official languages law proclaims in effect that, in matters sensitive to national unity, a federation such as Canada depends on the active co-operation of all levels of government and of all other major Canadian institutions.

Direction, co-ordination and the specification of administrative means are all set out in a precise fashion: Parliament, the government of Canada, Treasury Board, the Secretary of State, the Commissioner, the courts, each and every federal institution, all have been assigned their duties. More detailed instructions are to follow promulgation of the Act in the form of Governor in Council regulations, but the game plan and responsibilities could hardly be clearer.

Accountability and judicial teeth are more difficult to legislate. The Bill nonetheless does what it can to see that they are an ever-present aspect of the new system. Ministers as well as bureaucrats, Parliament as well as the Commissioner, the

Federal Court as well as the individual complainant, are all made part of a single interlocking process. Moreover, all Canadians are to be brought to know, appreciate and use their official languages rights to the fullest, something which has not always been conspicuously well done in the past. The administration must be active, flexible and responsible. The Commissioner must chase down the sources of complaints with vigour and despatch. But most important of all for the kind of social energy that this Bill aims to generate is its potential for bringing bureaucratic deadlocks to specific conclusions, by better defining rights, obligations and the processes for resolving conflicts.

Experience tells us that what most clogs up the machinery of official bilingualism is its boring tendency to decline into the *déjà vu*. No law will ever unscramble all the bureaucratic logjams, but Bill C-72 offers a better chance of breaking out of the obvious muddles of the past, most of which arose simply from an inability in some quarters to treat official languages rights *seriously*, while still showing a proper respect for the limitations of human nature and the public purse. What Bill C-72 proposes is that the federal government will afford both English-speaking and French-speaking Canadians every reasonable chance to enjoy the use of their own language in their relations with it, and to seek meaningful redress when they feel that promise has not been kept.

The Commissioner and his Office have had to carry the bulk of this arbitration responsibility hitherto, along with the rather more grateful task of keeping the promotional flame alive. The new Act will reinforce both roles, but its chief insistence is on the Commissioner's role as the go-between in explaining clients' and institutions' needs and limitations to one another and invoking the aid of Parliament, the government of Canada and the Federal Court where the evidence suggests that a federal institution is not acting in accordance with the wishes of Parliament. The Commissioner's powers to intervene as an ombudsman can only be strengthened by the knowledge that he will be working to tighter deadlines, that he will be backed by the Standing Joint Committee, that he can and should make special reports on deadlocked situations to the Governor in Council, and, where it seems both necessary and useful, that he can join cause with complainants to seek a decisive ruling from the Federal Court. Some of these possibilities were present under the 1969 Act, but their reinforcement under a new law should be very salutory. Since 1982 individual Canadians have been entitled under the Charter of Rights and Freedoms to go to court to have their rights respected. Now they will have an additional choice in this regard, and the Commissioner will be able to support their claims on the basis of his own investigations.

Prospects for progress

As of this writing, the Bill is no more than that, and most of its new inspirational and administrative energy remains to be harnessed. What then does it suggest we do to improve our ways?

Service to the public

As this Report will confirm, the 1969 Act has substantially increased the availability of service in both official languages. For the most part that service now exists — but it is still some way from being equal in quality and, above all, it is far from being a decent incentive to minority communities (beyond the so-called "bilingual belt" from Northern Ontario through New Brunswick) to avail themselves of their constitutional rights. What a new Act would therefore do, besides further improving the quality of service overall, is finally to put in place, and oblige federal institutions to publicize, an "active offer" of minority language service wherever, by any reasonable and generous definition of "significant demand", there is a need for it. If that can be convincingly done within a few years, and provided the minority communities in question show a sustained interest in availing themselves of the offer, the Act will have proved its worth in this, the most basic dimension of linguistic equality.

Language of work

Bill C-72 would also, for the first time, give federal employees an undisputed *right* to choose either English or French as a language of communication within the federal administration. Although implicit in the 1969 Act and expressed as a key principle of official languages policy by the 1973 Parliamentary Resolution, this aspect of English-French equality has had some difficulty in making itself part of the administrative mores of the Public Service. The right would be limited by Governor in Council regulations defining who may do what, where and when, but would apply equitably to both groups and be enforceable through the Commissioner's Office and the Federal Court. Our later chapter on the present language-of-work regime shows that most federal institutions will have their work cut out to respect such a right. More than in any other aspect of the program, the problem is one of ingrained institutional and human attitudes. A new Act would do much to reinforce effective *use* of this right by a more active approach to creating a suitable work environment and by making sure that the second-language abilities of qualified bilinguals are fully applied. But the Act cannot compel either Anglophones or Francophones to exercise their rights — often at some pain and inconvenience to themselves as well as to their colleagues; they must be prepared to seize their own opportunities or see them wither.

Full participation

The policy of encouraging Canadians of both official language groups to share the responsibilities of the federal administration, with a proper regard for their relative demographic weight in Canadian society, has in many ways been a success story. Compared to the Public Service of the early 60s, the typical federal institution today is less dominated by English-speaking Canadians and English-speaking interests. But this process too has had its moments of trauma and we cannot be totally happy with the present sharing of responsibilities. Bill C-72 enshrines the principle of "full participation" of both communities which was clearly formulated in the Parliamentary Resolution almost 15 years ago and makes it a legal commitment to Canadians of both groups on the part of their government. Equal access to and opportunity to advance in the Public Service are to be guaranteed, within the merit principle. The law would also direct federal

institutions to seek the best possible balance of English- and French-speaking personnel throughout their ranks. It must be said again that this is not a new goal but a reaffirmation in more explicit terms of a federal policy that has been on the books for almost as long as the Act itself. It is nevertheless bound to be one of the touchier aspects of the new law, if only because it is one where personal interests make it difficult to see the justice of other people's claims.

Progress toward full participation is in every sense a balancing act. As we read the Bill, it says that a candidate's having English or French as a mother tongue shall not be an element of merit in the hiring process, but that for purposes of fixing general participation goals, consideration may be given to the overall proportions of English- and French-speaking Canadians in the general population. This may have the look of a conundrum, but in administrative practice it is intelligible enough. The norms toward which federal institutions are to aspire have a collective face, one which should, subject to such other considerations as the mandate and regional distribution of the institutions, mirror the official language composition of Canadian society. Given a thorough search for qualified candidates from both language groups, it is still feasible and fair to adjust the numerical balance over time without discriminating against well-qualified individuals of either community.

Advancement of English and French

Bill C-72 goes considerably beyond laying out ground rules for linguistic fair play at the federal level. It sets out the federal government's intention to use all its means to encourage other institutions and individuals to play an active part in promoting the concept of English-French equality and thus gives legal substance to the constitutional principle that Canada as a whole is a country with two official languages. This has always been the explicit purpose of the promotional programs administered by the Secretary of State's Department since 1970. They include direct support to the official languages minorities, agreements with the provinces to foster the most effective minority and second-language education, and support to labour organizations and the private and voluntary sectors. What the new Act would provide is the legal impetus to put more order and, one must hope, more financial conviction into programs that have, in one sense, been all too successful. Not in the sense that they have met all their fundamental goals — far from it — but because they have succeeded, within their present scope and means, in making more credible our hopes that those goals can be met. And, by doing so, they have encouraged more and more non-federal bodies to join in the quest for institutional bilingualism of their own accord.

From that perspective, it must be said that legal endorsement for growing but still unfulfilled hopes is not an unmixed blessing. Even if it is already implicit in the Constitution, broadening the base of English-French equality will be a challenge to the good will of all parties involved, but perhaps even more so to their ability to recognize and work within a rather complex scheme of interlocking priorities. We have entered a period when calls upon our public and private resources are mushrooming but the resources themselves are in relative decline.

There is, as we said earlier, a good argument to be made for devoting substantially more than twenty (1987) dollars per Canadian per year to a promotional effort of this range and national importance. But, at the same time, we cannot allow ourselves to be either prodigal or sloppy in directing the best use of such funds.

Possible improvements

The initial reactions of all three political parties to the Bill, as well as those of the official language communities and the media, were, on the whole, complimentary and forward-looking. Everyone has an idea about how the text might be further improved, but the mood throughout the latter part of 1987 was that C-72 is a better than adequate legal framework for future language reform in Canada. Subject to some final touches, it was in the public interest to get the new Act on the books as promptly as possible so that attention could be turned to the less glamorous but essential business of making it work. Our own last-minute reservations were of three kinds: first, that the law's administrative criteria be as clearcut as possible; second, that the powers assigned to the Commissioner be as efficacious in practice as the legislator would want them to be; and third, that no effort be spared to take into account previous valid amendment proposals that have been considered but rejected. One case in point is the possibility that existing federal bodies such as Air Canada, Canada Post and certain airports might be privatized, provincialized or municipalized without due regard for maintaining and promoting the official language rights of Canadians.

Bill C-72, should it become law, will be a heart-lifting expression of our faith in Canadian fairness and our will to live fully by such laws as we choose to give ourselves. It will also set new qualitative targets and make more demands upon our institutional and individual selves. The message we will have given ourselves is that, if this thing is really worth doing, for the enduring and collective good of all Canadians, now is the time to do it properly.

Language Rights: Up to the Supreme Court

The existence in Canada of two unevenly distributed official language communities, one English-speaking, the other French-speaking, has given rise to certain constitutional and legislative rules governing the status of the two languages and the rights of those who speak them. Those rules in turn are part of an institutional framework that must not only reflect the aspirations of both groups but ensure that their languages receive fair treatment throughout the land, with due regard to their geographical distribution. The underlying principle is equality of status for the two languages and for the people who speak them.

The courts undeniably have an important role to play in the way Canada's official languages system evolves, a role that is still being defined. If Canadian judges have shown a great deal of restraint in their decisions, it is doubtless because their task is both delicate and difficult: to provide an objective reading of the law and to reconcile interpretations of sometimes historic texts with more recent legal and constitutional provisions. The interpretation of language rights pertaining to the courts and minority language education has been a slow and at times painful process, but the rudiments of judicial doctrine have gradually been taking shape. In 1988 the highest court in the land will rule on the Mercure case in Saskatchewan and on the signage question in Quebec. In the years to come, Supreme Court decisions will no doubt clarify other fundamental aspects of Canadian language law.

Since the proclamation of the Canadian Charter of Rights and Freedoms in 1982, the Supreme Court has handed down a number of significant decisions on the status of our official languages, decisions which have enabled it to develop new jusrisprudence whose impact on future language law in Canada is already decisive. In this chapter, we review some decisions of national importance pronounced in 1987 by courts one level below the Supreme Court and which have been or may yet be referred to that court. We have grouped them under two headings: 1) language rights and criminal justice; and 2) minority language education rights. We conclude with a brief overview of other cases which we feel are of particular importance, and with a few words about the Court Challenges Program.

Let us consider the role the Supreme Court may be called upon to play to give a certain coherence and symmetry to Canada's language law and to counter a more fragmentary trend in the lower courts. It sometimes seems as if the latter have neglected, if not ignored, the historical background of the rules they have been asked to interpret, when a more thorough examination of their origins might shed more light on their intent.

In 1985 the Supreme Court ruled in the federal reference on the scope of Section 133 of the Constitution Act, 1867, and of Section 23 of the Manitoba Act, 1870, to the effect that the institutional bilingualism of the legislature, laws and courts in the federal sphere and in Quebec and Manitoba were indeed mandatory and not simply directory, as several Manitoba courts had previously found. Applying the dictum, "Let justice be done though the heavens fall", the Supreme Court ruled unanimously that all enactments of the Manitoba legislature published only in English were invalid. It nevertheless declared that existing laws would be deemed valid and in force until the agreed deadline for translating them expired. In 1986, in the Bilodeau (Manitoba), MacDonald (Quebec) and Société des Acadiens du Nouveau-Brunswick cases, the Supreme Court also developed new jurisprudence which is beginning to be invoked in other cases.

Some of the questions put to courts in 1987 also raised points of law whose origins either pre-date Confederation or go back to the earliest years of the federation. Others dealt with more recent constitutional and legislative provisions. In both instances, when the learned judges found it difficult to determine the exact scope of a particular language right, it was often due to a certain narrowness of approach. Besides reflecting today's social realities and translating recent political compromises, Canadian language rights are, to a large degree, based on historical rights which exist in law. By their nature, however, laws lend themselves to various methods of analysis depending whether they are, like the North-West Territories Act, 1891, old or like the Canadian Charter of Rights and Freedoms, 1982, new.

Language rights and criminal justice

There were three decisions of particular interest: first, a ruling by the Saskatchewan Court of Appeal in a provincial reference on the impact of Section 110 of the North-West Territories Act on the administration of criminal justice in Saskatchewan; second, an Alberta Court of Appeal decision in the Paquette case, which raised the question whether a defendant may invoke the equality rights of Section 15 of the Charter to obtain a trial before a judge or judge and jury who speak his or her official language; and third, a decision by the Newfoundland Court of Appeal in the Ringuette case concerning this same point of law.

Section 110 of the North-West Territories Act, 1891, and Saskatchewan

In 1985, in the Mercure and Tremblay cases, the Saskatchewan Court of Appeal ruled that Section 110 of the North-West Territories Act, which concerns the institutional use of languages in the former territories, had indeed been incorporated into the laws of Saskatchewan when it became a province in 1905. The exact scope of that section was not, however, specified in the decision. The provincial government therefore referred a number of questions to the Court of

Appeal. In its advisory opinion in July, the latter unanimously confirmed that the provisions of Section 110 were carried over in the Saskatchewan Act, 1905. As a result, the section remains in effect in the criminal courts of the province. It entitles an accused person to use French both to address the court and to examine witnesses. This right exists regardless of the accused's ability to speak English and also covers written proceedings. It does not, however, limit the Crown's right to use English. In short, the right to use English and French before the criminal courts of Saskatchewan is the same as that in Quebec: every person involved in a criminal case is entitled to use his or her preferred official language. In this respect at least, French is now on an equal footing with English.

On the other hand, judges, jury members and officers of the court are not obliged to be able to speak or understand French. According to the Court, the government is required, not by Section 110 but by the common law right of the accused to a fair trial, to ensure that the accused can understand and be understood. The Court added that mutual understanding may be effected through simultaneous translation or other means. On this point, then, the rights of a French-speaking accused are exactly the same as those of any other person in Canada who speaks a language other than English. For purposes of oral testimony, French is put on the same footing as any other language.

A majority of the Bench also held that the right of a Francophone accused to equality before the law, in accordance with Section 15 of the Charter, had been infringed in that Part XIV(1) of the Criminal Code, which concerns the right of persons accused of a criminal offence to be tried before a judge and jury who speak their official language, had already been proclaimed in certain provinces and territories but not in others, including Saskatchewan. There was no doubt in the minds of the majority of the judges that this situation created an inequality "between a Francophone accused in Saskatchewan and a Francophone accused in other provinces" and that such inequality constituted a violation of a Francophone's right to equality before the law. The situation has since been rectified: Saskatchewan proclaimed Part XIV(1) of the Criminal Code in April, after the appeal was heard, and a trial was held in Saskatoon in June before a bilingual judge and 12 bilingual jurors.

Paquette case in Alberta

In 1985 the Alberta Court of Queen's Bench had also ruled in the Paquette case that Section 110 of the North-West Territories Act had been carried over into the law when that province was founded in 1905, and had not subsequently been abrogated. In 1986 the same court ruled that Section 15 of the Charter (on equality rights) could establish the right of an accused to be heard by a judge or judge and jury in his or her preferred official language.

In September 1987, a majority of the Alberta Court of Appeal partly confirmed the 1985 decision by recognizing that Section 110 of the North-West Territories Act had indeed been carried over into the law of that province in 1905 and that it was still in effect in the administration of criminal justice in Alberta. An accused may therefore use English or French in a criminal court in that province.

However, the Court of Appeal rejected certain conclusions of the lower court judge on the basis of the majority decision handed down by the Supreme Court in the MacDonald case (1986). That decision concerned part of Section 133 of the Constitution Act, 1867, and confirmed the Crown's right, as a "person", to choose the official language used by its intervenors. The Court of Appeal thus found that the right to use French in legal proceedings did not include the right to be directly understood by the court!

In November 1987, the same court handed down a majority ruling on the second part of the 1985 Court of Queen's Bench decision. It found that subsection 15(1) of the Charter may be invoked to enable a Francophone accused to be tried before a judge or judge and jury who speak French, even though Part XIV(1) of the Criminal Code was not in effect in Alberta. The Court of Appeal rejected the conclusion that this right can be established under Section 15 of the Charter since Part XIV(1) of the Criminal Code had not yet been proclaimed in Alberta. However, the Court also made it clear that this did not reverse its September decision that an accused may speak English or French in a criminal court in accordance with Section 110 of the North-West Territories Act.

Ringuette case in Newfoundland

William Ringuette also invoked Section 15 of the Charter in a vain attempt to obtain a preliminary hearing before a judge and a trial by a judge and jury who spoke French.

On September 17, without stating the reasons for their decision, three justices of the Supreme Court of Canada refused to grant leave to appeal this case. The Court no doubt found that the case was not of sufficient national significance. They may also have agreed with the reasons given by the Supreme Court of Newfoundland in refusing to overturn a lower court decision rejecting Mr. Ringuette's petition. What, then, were those reasons?

For one, Part XIV(1) of the Criminal Code has not yet been proclaimed in Newfoundland. The Supreme Court of that province and the lower court also denied that Mr. Ringuette could base his petition on Section 15 of the Charter. Given the particular circumstances of Newfoundland, the judges ruled that the accused could not claim that an unreasonable limit had been placed on his basic rights simply because Ottawa had not proclaimed that part of the Criminal Code in the province. The Court of Appeal also discounted previous decisions in Saskatchewan (the Tremblay case) and Alberta (the Paquette case), on the grounds that they also had to take into account Section 110 of the North-West Territories Act. The Court stated that, in any event, the situation was different in those provinces, where it was easier than in Newfoundland to find peace officers, judges, lawyers and jury members who spoke French. Neither decision could therefore constitute a precedent for Newfoundland courts.

The Newfoundland Court of Appeal also held that equality before the law must not be regarded as synonymous with the universality of application of statutes; that the fact this part of the Criminal Code had not been proclaimed in

Newfoundland did not constitute a discriminatory omission; and that, as the Supreme Court of Canada had done in the MacDonald (Quebec) and Société des Acadiens du Nouveau-Brunswick decisions in 1986, it too had to show more restraint in interpreting the legislative provisions concerning "language rights" than those pertaining to "legal guarantees".

In 1987 the federal Minister of Justice continued the ongoing process of proclaiming Part XIV(1) of the Criminal Code concerning the language of criminal trials across Canada. The work of the attorneys-general and ministers of justice made it possible to introduce Part XIV(1) in Saskatchewan last September, and its provisions on infractions governed by summary procedures were also adopted in Nova Scotia and Prince Edward Island. These provinces thus joined Ontario, New Brunswick, Manitoba, the Yukon and the Northwest Territories, where the right of an accused to a trial in the official language of his or her choice has been recognized for several years. (In Quebec, this right is already covered by Section 555 of the Criminal Code on mixed juries.) Through its Court Challenges Program, the Department of the Secretary of State provides funding for language training programs and for translation and interpretation services to facilitate application of this part of the Criminal Code.

Bill C-72 on the official languages of Canada stipulates that the Criminal Code provisions establishing the rights of an accused to appear before a judge or judge and jury who speak the accused's official language will automatically go into effect on January 1, 1990, in those provinces where it is not already in force, both for offences punishable on summary conviction and for criminal acts.

Minority language education rights

The efforts of official language minorities to secure full and concrete recognition for their constitutional right to minority language education have given rise to a number of court cases over the past five years. Let us examine two in which the courts rendered decisions in 1987.

École Georges-et-Julia-Bugnet case in Alberta

The Francophone parents of students at the École Georges-et-Julia-Bugnet in Edmonton petitioned the Court of Queen's Bench to recognize their right to publicly funded French-language education for their children in schools managed by a French-language school board. The lower court agreed to the principle stated in their petition, but issued no order to give them practical effect.

In a unanimous decision last August, the Alberta Court of Appeal to all intents and purposes upheld the lower court ruling as regards the principles of the case, but rejected most of the conclusions as to the facts. It did, however, set aside some of the conclusions of the lower court, finding in particular that it is the province's responsibility to specify the institutional means to implement the rights guaranteed by Section 23 wherever the number of children warrants. The petitioners had not been able to prove that there were enough Francophone students in Edmonton to justify self-management for its French-language elementary and secondary schools.

The parents were thus unable to convince the court that the combined effect of Charter sections 15 (equality rights) and 23 (education rights) guaranteed them access to a distinct and self-managed French-language school system. The Court held that they had failed to prove all the necessary facts, to involve the school boards in the dispute or even to persuade the Court to grant the redress they sought.

What was that redress? First, to invalidate the provisions of the Alberta Public Schools Act, which does not give express effect to Section 23, and to conceive a model statute whereby the Alberta legislature could specify the rights of the minority to establish, manage and control its own educational facilities. In the opinion of the Court of Appeal, the lower court judge was justified in criticizing certain provisions of the Public Schools Act but had also been right in refusing to declare them invalid. Section 23 makes no mention of institutional arrangements, which are thus left to the discretion of the provinces. The education rights contained in Section 23 exist everywhere in Canada, but they remain subject to the provincial power to translate them into fact.

The Court agreed with the lower court's view that the Public Schools Act should be more clearly worded than it is now: the present law merely permits school boards to authorize instruction in French. However, since the relevant section of the Act pre-dated the Charter of Rights, the Court found that it could not be rendered inoperative, insofar as it complements but does not contradict Section 23.

The Court also held that if the present Public Schools Act does not provide a self-management option for minority language education, it is essentially because it preceded the Charter and cannot therefore be invalidated on those grounds. One can only wonder whether the petition might not have been more effective if it had contained more detailed arguments on this point.

Nor does the Public Schools Act provide for distinct school districts for minority language schools. The learned judges acknowledged that such districts might improve the situation, but the Act is not required by the Charter to contain any such provision any more than it expressly prohibits creation of such districts. The Act therefore remains valid. It will, however, be up to the legislature to clarify the scope of its content, as had been recommended in the initial decision. In short, the Court was not at all convinced that Alberta must establish a distinct school district in order to satisfy Section 23, as asked by the petitioners. The latter then requested leave to appeal to the Supreme Court of Canada, which agreed in December to hear their case.

One final point. In June, the Alberta Minister of Education tabled Bill 59 on education, which makes specific provision for both French immersion and other programs for Anglophones and for French-language education for Francophones. However, the Bill does not set out means for implementing the latter requirement, leaving it for regulations to be adopted later.

Immersion: A constitutional right?

Can Section 23 of the Charter provide a basis for a petition by Anglophone parents asking that a school board offer a French immersion program?

Last September in Vancouver, Madam Justice Patricia M. Proudfoot of the Supreme Court of British Columbia rejected the petition of nine parents, eight of whom were Anglophone, who wished to enrol their children in a French immersion program. The parents based their case on Section 23 of the Charter.

Two important principles emerged from this decision: first, Section 23 cannot be invoked by members of the linguistic majority since, as its title indicates, it addresses minority language education rights. Second, even in the absence of any foundation in law, British Columbia's introduction of a Programme cadre de français for Francophones in the province's primary and secondary schools, as well as French immersion classes for Anglophone students, was its way of implementing Section 23, since the program expressly provides French-language instruction at both levels, as required by the Charter.

In the Court's view, Section 23 of the Charter was not adopted in a vacuum. Thus, the French-language instruction requirement of subsection 23(2) may not be interpreted separately and out of context. The title of the section is part of the section itself and indicates the meaning that must be given to it. The historical and social circumstances in which the legislation was adopted and in which the parliamentary debates preceding it took place must also be taken into account.

For that reason, there was no doubt in the Court's mind that Parliament's intent in adopting this section was to protect the official language minority communities in all provinces of Canada and that the only possible interpretation in this case was that French-language instruction means instruction for the minority in the language of the minority. The Anglophone majority may not, therefore, invoke the section for the purpose of obtaining immersion classes since the section deals specifically with a program intended for British Columbia's Francophone minority.

Cases before the courts

In 1988 the Supreme Court of Canada will be asked to render a number of other decisions of major importance for language law in Canada. In particular, it is to rule on the language rights flowing from Section 110 of the North-West Territories Act, 1891, in Saskatchewan (the Mercure case); on the nature and scope of minority language education rights, as raised by the École Georges-et-Julia-Bugnet case in Alberta; the constitutional validity of certain sections of Quebec's Charter of the French Language (Bill 101) involving the language of signage and the override provisions of the Charter of Rights and Freedoms; and various other cases concerning the constitutionally protected rights of Catholic schools and denominational school boards in Quebec, the province with the largest official language minority population in Canada.

The courts will therefore continue their efforts to reconcile the language rights sanctioned by statute, custom and usage with those arising from the Charter, particularly in education. However, that process will not be completed in the near future. In the meantime, it will be mainly up to governments to settle disputes

which endanger the status of one or other of our official languages and, at times, the very existence of our minority communities. As the Supreme Court of Canada pointed out in 1986, "the legislative process is, unlike the judicial process, a political process which lends itself particularly well to the advancement of rights based on political compromise."

Court Challenges Program

We cannot end this chapter without expressing our satisfaction at the way the Official Languages Subcommittee of the Canadian Council on Social Development carried out its mandate under the initial direction of Dr. Victor Goldbloom and allocated funds under the Court Challenges Program of the Department of the Secretary of State. From the outset, the Subcommittee established criteria and objective standards for that purpose and allocated funds equitably among the persons and groups applying for financial assistance.

In its last annual report, the Council pondered the impact of the grants awarded to applicants who challenged certain issues in the language field. We were particularly taken by the Council's assertion, regarding minority language education rights, that a generous and forward-looking interpretation of Section 23 of the Charter is what is now required, given both Canada's history and the genuine education code that section establishes for Canada's official language minorities.

Government Policies and Programs: Changing Gears

Successive speeches from the Throne have offered Canadians — at least implicitly — a national prospectus in which changes to official languages law would progress in tandem with productive changes in official languages administration. We have pointed out to Parliament and to the Standing Joint Committee more than once that, in light of present administrative performance, this may border on false advertising. The Committee has confirmed that impression in its own reports. Government in turn has emphasized the extraordinary amount of work that has gone, and is still going, into formulating an effective new Act and regulations, not to mention all the consultation and consensus-seeking that must accompany such work. These efforts have been remarkable of their kind, and we once again salute the architects of what should become an inspiring piece of legislation. However, if such feats have so taxed government linguocrats for the last two years that they have been prevented from putting the present machine into higher gear, then perhaps they needed some supplementary resources they did not get.

Program management and human resources

Appendix B.1 contains a breakdown of the human and financial resources that go toward administering and monitoring the numerous policies and programs that make up the total federal investment in official languages. Let us focus for a moment on the people who make things happen, either in the central agencies, in such services as translation and language training, or in over 150 other federal institutions, large and small. In the aggregate, their numbers are far from negligible, but in relation to any particular part of this wide-ranging program they can seem like a rather strung-out guerrilla force in the struggle for language equality. This might not matter if the program were tallying up systematic and significant achievements with some regularity. Such has not been the case. Numbers in themselves are not the answer; it is their concentration and mobilization that counts. With an important new Act in the offing, however, the present resources seem likely to be stretched, in some areas, beyond any reasonable hope of matching all its promises. The federal language program encompasses many tasks, all of which have a promotional aspect. If too many of these people are hard pressed just to hold on to the gains of the last 18 years, we should not delude ourselves unduly that they will miraculously multiply their promotional efforts in the context of a challenging new law.

The year in brief

Central agency measures

Two main government agencies have special responsibilities for guiding and promoting aspects of the official languages program that most directly affect the federal administration.[1] They are the Treasury Board Secretariat, which, because of its financial authority, has the role of policy architect and master-builder, and the Public Service Commission, which plays an important service and audit role in certain areas. The Secretary of State's Department is responsible for translation services and for defining and administering programs that affect other levels of government and other institutional sectors. All three organizations have been involved in developing Bill C-72. The following sections review the steps they took in 1987 to provide appropriate leadership and accountability under the present Act. **However, given the way in which responsibilities are shared among the central agencies in Bill C-72, we also recommend that, at least in the years immediately following adoption of the Bill, the Privy Council Office play its traditional policy role to ensure that the official languages programs of the central agencies are fully co-ordinated.**

Secretary of State's Department

Part VII of Bill C-72 ("Advancement of English and French") is devoted to enumerating the Secretary of State's roles in "enhancing the vitality" of the official language minorities and "fostering the full recognition and use" of both languages in Canadian society. In effect this confirms, as a legal commitment, the work assigned to the Department since 1970. While the financial and human resources devoted to these considerable tasks in 1987-88 are essentially the same as they were three years ago, an increase of $25 million is anticipated over the next three years to help flesh out government's undertaking to collaborate more closely with the provinces and territories as they in turn strive to give effect to the Meech Lake promise to preserve their respective minorities.

Like the other central agencies, the Secretary of State's Department devoted much of its energy to program reviews, consultation, negotiations and similar preparatory activities, including a federal-provincial agreement with New Brunswick to collaborate on minority language services. Other 1987 highlights included proposals for supporting minority language community radio networks, negotiation of a new five-year Protocol on Official Languages in Education, and identifying better means of helping the private and voluntary sectors to bilingualize some of their services. Here again, however, the worry remains whether the limited human resources assigned to prepare these new promotional schemes will be sufficient to start up and sustain them when the time comes.

Treasury Board Secretariat

In addition to working on Bill C-72, the Board put much effort into developing draft regulations and other policy instruments that would translate the generous intentions of the Bill into an effective and manageable code of administrative

[1] While the Commissioner's reports and recommendations, like those of the Standing Joint Committee on Official Languages, can have a considerable impact on how federal institutions interpret and carry out their duties under the Official Languages Act, they do not have binding executory authority.

behaviour. At year's end these were said to be taking shape, but their final form will be determined at the political level as the legislative process goes on.

No doubt in hopes of seeing a new Act passed before the end of the year, the Board tended for a good while to keep its promotional powder dry. As it became clearer that Bill C-72 would not become law in 1987, the Board went to work in the final three or four months to give several aspects of the program a much needed administrative boost. A new government symbol was launched which tells members of the public at a glance which federal offices and employees are able to offer bilingual services in an active way. This will be backed by an updated inventory of bilingual service points which will help official language minorities, in particular, to focus their demand on the proper people and places.

The Board also worked with various minority associations and with the Calgary Winter Olympics Committee to ensure that bilingual services are offered in the most effective way possible. Training materials such as a video entitled "Policy into Practice" have also been given wide circulation to help regional managers understand what can be done in practical terms to serve minority clients. On the language-of-work front, the President of the Board announced a policy change at the end of December that would require all Executive (EX) level public servants in bilingual positions to attain superior (C level) second-language proficiency in reading and oral interaction by 1998. Those who need it will be offered language training on a top priority basis. Departments and agencies will also be encouraged gradually to raise the second-language requirements for all senior managers in bilingual jobs so that they can lead their subordinates as much by example as by exhortation. Board reaction to the Commissioner's special report on Anglophone participation in Quebec was also prompt and positive, and another working committee has been set up at our urging to develop federal initiatives to promote a better balance of English and French in scientific work.

A new official languages accountability system was on the launching pad at the end of the year. Through formal letters of understanding with the Board, each federal body will eventually have to develop very specific plans that can be closely monitored by the central agencies, this Office, Parliament and the public in general. The first 15 are expected to be signed early in 1988. In the meantime, the Official Languages Branch carried out accountability audits or follow-up studies in 64 departments and agencies and developed a guide to help institutions build language criteria into their own internal audits. Official languages workshops for over 100 internal auditors from 38 federal bodies were also organized. (By and large, Board audits, which are conducted principally on the basis of administrative reports and by only five officers, focus on technical compliance with government guidelines; those of the Commissioner's Office, by comparison, make in-depth evaluations of the attainment of objectives.)

These and other Board activities, while not perhaps earthshaking in themselves, suggest a refreshing new degree of commitment to real administrative renewal

of the machinery of federal bilingualism. When Bill C-72 becomes law, we hope to see these initiatives taken quite a bit further. Guiding, monitoring and reporting are important central agency functions, but so are long-term analysis and planning. Particularly urgent, too, is the need to make expertise available to departments and agencies as they wrestle with the mechanics of putting policy into practice.

We therefore recommend that Treasury Board reappraise the availability and use of its own management and promotional resources, and of those in federal institutions, to see how they may need to be supplemented or reassigned to meet new operational needs.

We also recommend that the Board examine the letters of understanding submitted by federal institutions to pinpoint activities where they may need direct assistance from its Official Languages Branch.

Public Service Commission

While the Commission does not have the final say in policies which particularly affect its jurisdiction (full participation of both language groups, staffing, language testing, language training and professional development), its overview of these factors and services puts it in a position to influence their use. This knowledge might sometimes be better applied. Trends in the use of these program instruments need to be not merely watched and reported but also projected and adjusted. For reasons that are not altogether clear, co-ordination between the Board and the Commission still seems to be less than ideal in this regard.

Responding in part to the Commissioner's special report on the under-representation of English-speaking public servants in Quebec, the central agencies successfully pursued the task of ensuring that Anglophone candidates are presented to federal institutions in appropriate numbers. As a result, the proportion of English speakers recruited into the officer categories rose from 14.8% to 20%. The Commission also chaired a group of regional directors from 10 departments who, along with representatives of minority associations, have developed several promising initiatives in this area. We have suggested that a similar committee be established to work on the under-representation of Francophones in some bilingual regions of Ontario and in New Brunswick.

Professional development is a problem as stubborn as it is familiar: many French-speaking employees are more or less induced to take professional training in English, not because of any real shortage of eligible candidates but because the availability, scheduling and sometimes the perceived quality and usefulness of equivalent courses in French leaves them too little choice. Much has been done in recent years to counter this anglicizing pressure on Francophone work habits: more courses in French, lower enrolment thresholds and greater quality control. But the Commission has direct responsibility for only about 6% of professional training, and it recognizes the need to sensitize other federal institutions and have them offer more attractive training opportunities in French. The ball would seem to be back in Treasury Board's court. We urge both agencies to keep up the

pressure, especially since the language-of-work right in Bill C-72 could make this a legally contentious issue.

The mechanics of government policy

Building bilingual capacity

There are two main thrusts to government's administration of the Official Languages Act within the Public Service: the creation of a corps of bilingual managers and employees; and the provision of documentation and internal services that enable employees to work in either language. For nigh on 15 years the designation, second-language rating and staffing of bilingual jobs has been at the heart of the effort to create a more productive bilingual work force, one that will be well distributed and responsive to the duties that derive from the law and the Constitution. From an almost standing start of roughly 15,000 functionally bilingual employees in the early 70s, the Public Service proper[2] has at least quintupled its institutional capacity to do business in both languages. Even allowing that some of this capacity may be a statistical mirage and not necessarily well distributed or applied, this is an extraordinary institutional achievement and, to the best of our knowledge, unparallelled.

Bilingual positions

In 1987, for the first time, there appeared to be a significant drop in the number of occupied bilingual positions. This may, however, be due to an adjustment in the Official Languages Information System, which has recently been brought into line with the more dependable government pay system. At the same time, there was a slight jump in the proportion of positions requiring the highest level of second-language proficiency.

Table I.4

Changes in the proportions of bilingual positions requiring A, B and C levels of second-language proficiency, 1986 to 1987

Required proficiency level	1986	1987	% Change
A (Elementary)	6,464	5,835	− 9.7
B (Intermediate)	49,758	48,250	− 3.0
C (Advanced)	5,633	6,192	+ 9.9
Other levels	2,187	2,388	+ 9.2
Totals of all occupied bilingual positions	**64,042**	**62,665**	**− 2.2**

Source: Official Languages Information System

Bilingual personnel

Nor is that the whole story. One of the most significant side-effects of the new second-language test introduced in 1984 has been that, whereas candidates' second-language skills were once measured up to but not beyond the level required by

[2] The Public Service in this sense comprises only those federal institutions that are covered by the Public Service Employment Act and on whose composition the Public Service Commission normally reports to Parliament.

their position, skills are now assessed independently of the position requirements. This has revealed that individual bilingual skills are substantially higher overall than the second-language standards for bilingual jobs. Substantial numbers of people in jobs which, on paper, require only an intermediate or B level proficiency actually test out as having advanced (C level) skills or better. This is a useful reminder that the statistics on institutional capacity may contain at least as many under-estimations of individual bilingualism as the more often reported over-estimations.

We must credit Treasury Board and the Public Service Commission with spotting and encouraging what is most positive in these trends. Table I.5 presents a comparison between the standards required for bilingual jobs and the recently tested proficiency of public servants.

Table I.5

Comparison of the distribution of bilingual positions[a] and of the second-language proficiency of their occupants, December 1987

	Second-Language Standards		Occupants' Second-Language Proficiency	
	Number	% of Total	Number	% of Total
Level A (Elementary)	5,835	9.3	4,647	7.4
Level B (Intermediate)	48,250	77.0	25,272	40.3
Level C (Advanced or better)	6,192	9.9	25,372	40.5
Other levels	2,388	3.8	7,374	11.8
Totals	**62,665**	**100.0**	**62,665**	**100.0**

[a] There are another 13,500 occupants of unilingual positions who have recent second-language test results.

Source: Official Languages Information System

On a more sombre note, we regret that our recommendation last year that use of the A level be drastically reduced over time has made little significant impact on the statistics: there were 6,464 bilingual jobs at this level in 1986 and there are only 629 fewer today.

Regional and hierarchical imbalances

And there are other downsides to this statistical picture. Much of the concentration remains in those regions (the National Capital and Quebec) already best equipped to operate in both languages. Real improvements in areas where an active offer of bilingual service is most lacking and most difficult to achieve have been relatively less marked (Table I.6). The system also has a rather mysterious way of replenishing the number of people in bilingual senior management, and supervisory jobs in general, who are either exempted from meeting their requirements or relatively ill-equipped to function in their second language.

Table I.6

Bilingual positions and qualified bilingual employees, by major geographic region, 1984 and 1987

	1984				1987			
	Bilingual Positions		Bilingual Occupants		Bilingual Positions		Bilingual Occupants	
Region	Number	%	Number	%	Number	%	Number	%
West and North	1,223	1.9	1,036	1.9	1,266	2.0	1,143	2.1
Ontario	2,552	4.0	2,156	4.0	2,496	4.0	2,092	3.9
National Capital Region	40,050	63.4	33,617	62.0	39,166	62.8	32,852	61.2
Quebec	15,768	25.0	14,584	26.9	15,877	25.4	14,517	27.0
New Brunswick	2,474	3.9	2,043	3.8	2,567	4.1	2,225	4.1
Other Atlantic Provinces	1,054	1.7	800	1.5	1,023	1.6	852	1.6
Totals	**63,121**	**100.0**	**54,236**	**100.0**	**62,395**	**100.0**	**53,681**	**100.0**

Source: Official Languages Information System

Anglophone and Francophone occupancy rates

One peculiarity of the language requirements system that calls for more critical attention is the appointment and occupancy rates of the two language groups in relation to the language requirements of positions. Bilingual positions now account for 28.3% of federal jobs, English-essential for 59.3%, French-essential for 7.1% and the so-called "either/or" requirement for the remaining 5.3%. We have pointed out for a number of years that the Francophone occupancy and appointment rates for bilingual positions may well strike the uninitiated observer as excessive. In 1984 those rates stood at 61% and 66% respectively; in 1987 they were 62% and 61%, a marginally higher occupancy rate, but a significant drop in the proportion of appointments. One obvious explanation for the general imbalance is that Francophones, who represent 28% of public servants, have more limited access to unilingual French or either/or positions than do their Anglophone colleagues to unilingual English or either/or positions. Francophones, as the more naturally bilingual members of Canadian society at this time, have a tendency to gravitate toward bilingual jobs. How could it be otherwise when French-essential positions represent only 7% of the total?

What this argument fails to explain is *why* there are so few French-essential positions, most notably in Quebec, or *why*, when Francophones are acceding in substantial numbers to bilingual jobs, the relative use of French as a language of work has apparently not been keeping pace with this trend.[3] From the

[3] There has been no comprehensive official language use survey of public servants since 1981, which makes it impossible to say with any "scientific" certainty how the relative use of English and French has progressed in the last six years.

viewpoint of program accountability, this is not a satisfactory state of affairs. **We therefore recommend that Treasury Board and the Public Service Commission jointly undertake a thorough analysis of the distribution and occupancy of bilingual and unilingual positions, the use of imperative staffing, and other related factors and project their future interactions to see what policy adjustments may be necessary for the longer term.**

Imperative staffing

Ten years ago it became government policy gradually to close off a proportion of bilingual positions to "conditional appointees" — successful candidates who were not bilingual but were ready to become so through language training. The policy originally set 1981 as the cut-off date, but this was almost immediately abandoned as unrealistic. Nevertheless, as the availability of already bilingual candidates has grown over the years, the proportion of bilingual jobs staffed on an "imperative" basis (i.e. only bilingual candidates will be considered) has risen from 5% in 1980 to almost 48% in 1987. Not only that, but the general proportion of bilingual appointees has also been growing, with the result that exempted or "conditional" appointees (the latter being allowed up to two years to complete their language training) accounted for 7% of the roughly 17,000 appointments that took place in 1986 compared to 14% of some 20,000 appointees in 1982.

There are good and bad sides to these figures. It is clearly salutory that there are fewer deviations from the merit principle, whereby successful appointees must ideally meet all the conditions of the job. It is also a reasonable deduction that this trend toward appointing mainly bilinguals to bilingual positions has a lot to do with the progress in overall capacity noted above. For many, the question appears to be how long we should wait before imperative staffing becomes the universal rule. The Standing Joint Committee, in its Fourth Report, recommended that this be done immediately. Government replied that the question is rather one of how far to go in this direction and at what rate. While we share the Committee's concern about abuses of the rule which allows exempted unilinguals to be appointed to bilingual jobs[4], we believe government is right to reject a drastic move at this time. Fair treatment for Canadians of both language groups may be better served in the long run by never completely closing off the opportunity to train people for bilingual tasks after they are appointed, provided of course that they are willing and able to become bilingual. Determining a proper rate must not, however, be left to chance. **We therefore recommend that the future use of imperative staffing be very closely analysed in relation to such factors as individual bilingualism in various age groups in the Canadian population and patterns of access to bilingual positions in the Public Service, by region**. For the moment, given Canada's linguistic demography and the need for the Public Service to remain broadly representative of Canadian society, the machine is better able to stand an occasional misfiring cylinder in sectors where there are already many bilinguals than a total exclusion of talented unilinguals of either official language group.

[4] In principle, only those unilingual public servants who had so-called "grandfather" rights when the language requirements system came into effect in 1973 or those who can claim exemption for reasons of age or health can benefit from this rule.

Language training

The degree to which language training has contributed to the capacity of the federal administration to carry on its business in English and French must remain controversial. On the basis of the number of successful trainees who occupy bilingual positions at any given time, it is very hard to judge just how much they are contributing to the public's choice of either English or French, or to a work environment where employees feel encouraged to use their own language. There is no simple equation for relating the sum of trainees to the total of actively bilingual employees. Among Anglophone trainees still with the Public Service, some are doing their part as actively as they can, some are providing a degree of useful passive support, and others have, for all intents and purposes, "ceased to practice". The proportions in these three categories are difficult to ascertain. It is rare, on the other hand, to find a Francophone who has been trained in English and whose second-language skills are standing idle to that extent. The challenge for trainees of either group is often psychological — to plunge or not to plunge. We are happy to learn that Treasury Board is authorizing follow-up studies to examine these and other questions concerning the use made of acquired second-language skills in departments. **We recommend that the evaluation of language training's contribution to the use of English and French in the Public Service be a regular feature of the program review process, and that it take account, among other things, of the incidence of individual bilingualism in the Canadian population and of the opportunities available in various regions to accede to bilingual positions.**

Such results may not sound very satisfactory as an investment of taxpayers' money and no doubt could be more so. Then again, had Parliament chosen to make the federal administration bilingual by recruiting bilingual Francophones — who would then work predominantly if not exclusively in English — it could no doubt have done so. Instead, it elected to spread the "burden" of individual bilingualism more broadly between the two communities. If we had opted for a less expensive regime of widespread receptive bilingualism for language-of-work purposes, the results might have been less than glorious. **However, we still recommend that an experiment in language training explicitly aimed at efficient but primarily *receptive* bilingualism be given a systematic trial.** As we point out in Part II, the apparent stagnation in the use of French as a language of work is such that we must be prepared to contemplate both structural and individual incentives that go beyond simply doing the same old thing.

We noted last year that there were to be tighter access rules for publicly funded language training, either during or after working hours. Owing to pressures by employee unions, however, the scheme was not introduced as planned. Treasury Board reported in December that more generous access rules were being negotiated and that these would be supported by pilot projects aimed at seeing that acquired language skills are being used on the job. The essential statistics for 1986 and 1987 are presented in Table I.7.

Table I.7

Second-language training provided by the Public Service Commission, 1986 and 1987

	1986	1987
Enrolments in basic continuous training	1,898	1,452
Enrolments in other courses	19,028	18,978
Total teaching, pedagogical support and other staff	744	588
Total Cost $000	**21,670**	**21,018**

Source: Public Service Commission

Bilingualism bonus

The only news of note is that a flat-rate bilingualism bonus of $800 was paid to some 55,000 public servants in 1987, and that the new language re-testing process which came into effect in April resulted in over 500 employees being at least temporarily struck off the bonus role and invited to avail themselves of up to 200 hours of supplementary language training. Moreover, there appears to be no immediate prospect of a change in this policy. Yet the fact remains that the bilingualism bonus as an instrument to encourage more active work-related bilingualism among public servants is not well attuned to present needs. It falls, like heaven's rain, indiscriminately on the just and the unjust alike, which is not how bonus incentives are supposed to work. In the past we have recommended, without success, that ways be found to cut from the bonus roll those bilingual public servants whose normal duties and remuneration could be considered to take ample account of both the need and the reward aspects of this matter. We strongly believe the program would be better served by redistributing the bonus on progressive lines so that those who have a demonstrably higher capacity receive an appropriate additional compensation. The difficulty has always been to sell this concept to public service unions. **In the context of a new Official Languages Act which aims, among other things, to increase accountability, we recommend that Treasury Board review the value of the bilingualism bonus from the standpoints of improving its effectiveness as an incentive and of reducing the overall cost.** One option that deserves serious consideration is to confine the bonus to those jobs where the duty to serve the public in both languages is the dominant feature of the work.

Translation

One of the most immediate and least avoidable costs of running the federal administration in two languages is the cost of translation and interpretation. If demand for these services is not exactly infinite, it sometimes seems as if the more successful government institutions are in operating bilingually, the more words they need to translate from one language to the other. Successive administrations have been seeking for years to rationalize and control these

functions. Short of getting politicians and bureaucrats to talk or write less, there are only so many ways of doing this. One can set policy limits on the kind of document required in both languages; one can proscribe the use of translation or interpretation for certain purposes; or one can try to get more words translated faster at the same or less cost. The squeeze to reduce "unnecessary" translation has been at least partially successful in preventing abuses of the system, but most of what has been achieved in the 80s to hold translation in check has been the result of cutting or capping resources while trying to use improved technologies to raise the output per translator. The Translation Bureau has lost nearly 300 person-years since 1981, 66 in 1987. The Bureau has rallied to the call to do more with less, and productivity gains since 1981 have been substantial. It now takes roughly a third less time to produce texts in the 5,000 to 10,000 word range and about 40% less time to produce texts with over 10,000 words.

The demand for translation and interpretation services, however, has continued to rise: the total volume is now about 5% greater than it was seven years ago. The Bureau has not been able to purchase all the word-processors and micro-computers it needs to help translators work more efficiently. Nor has the use of private sector contracts to handle the overload proved as economical as anticipated, since contractors raise their prices to take advantage of surplus demand. Complaints about the availability and quality of service are becoming more frequent and there is now a sense that the Bureau is facing a resource crisis of major proportions.

It looks very much as if the belt-tightening process is nearing or has passed its limits. Beyond the obvious but perhaps unacceptable solution of matching growing demand with growing, and still more productive, resources, we must surely ask ourselves whether everything reasonable has been done to stem demand at the source. It is clearly not in the public interest to translate an enormous backlog of technical documentation that is either obsolete on arrival or little used in the language of translation. **We recommend that a working group be established immediately to review the problem in detail and develop proposals for a substantially new policy on federal translation and interpretation services.** Table I.8 summarizes the overall trends in translation output and resources in the eighties.

Table I.8

Volume of translation and human and financial resources of the Translation Operations Branch of the Department of the Secretary of State, 1980-81 and 1987-88[a]

	1980-81	1987-88
Millions of words	232	244
Person-years	1,769	1,477
Millions of dollars	58.7	84.4

[a] Official languages only.

Source: Department of the Secretary of State and Treasury Board Secretariat

Recommendations

Given the way in which responsibilities are shared among the central agencies in Bill C-72, we recommend that, at least in the years immediately following adoption of the Bill, the Privy Council Office play its traditional policy role to ensure that the official languages programs of the central agencies are fully co-ordinated.

We recommend that Treasury Board reappraise the availability and use of its own management and promotional resources, and of those in federal institutions, to see how they may need to be supplemented or reassigned to meet new operational needs.

We recommend that Treasury Board examine the letters of understanding submitted by federal institutions to pinpoint activities where they may need direct assistance from its Official Languages Branch.

We recommend that Treasury Board and the Public Service Commission jointly undertake a thorough analysis of the distribution and occupancy of bilingual and unilingual positions, the use of imperative staffing, and other related factors, and project their future interactions to see what policy adjustments may be necessary for the longer term.

We recommend that the future use of imperative staffing be very closely analysed in relation to such factors as individual bilingualism in various age groups in the Canadian population and patterns of access to bilingual positions in the Public Service, by region.

We recommend that the evaluation of language training's contribution to the use of English and French in the Public Service be a regular feature of the program review process, and that it take account, among other things, of the incidence of individual bilingualism in the Canadian population and of the opportunities available in various regions to accede to bilingual positions.

We recommend that an experiment in language training explicitly aimed at efficient but primarily receptive bilingualism be given a systematic trial.

In the context of a new Official Languages Act which aims, among other things, to increase accountability, we recommend that Treasury Board review the bilingualism bonus from the standpoints of improving its effectiveness as an incentive and of reducing the overall cost.

We recommend that a working group be established immediately to review in detail the problem of translation control and develop proposals for a substantially new policy on federal translation and interpretation services.

Standing Joint Committee: Shaking the Tree

It is reassuring to note that Canadian parliamentarians are taking an interest not only in the purely federal aspect of the official languages program but also in its broader impact, particularly on education and other provincial services. They have also been raising questions about the effectiveness of constitutional provisions on the status of the official languages and minority language education.

The Committee submitted three reports to the government in 1987. The first was on Section 23 of the Canadian Charter of Rights and Freedoms, the second on official languages in the federal administration; both received a response. In a short report at year's end, the Committee expressed its concern that the Calgary Winter Olympics were not to be fully available to Francophone television viewers throughout Canada.

The Committee was particularly active in the fall of 1986 and in the first half of 1987 and became still more effective when it established the principle of holding a follow-up hearing, six or eight months after the first, for most federal institutions appearing before it. The results of this practice made themselves felt to varying degrees throughout the entire administration.

Report on Section 23 of the Charter

In 1986 the Committee devoted much of its attention to minority language education, partly in response to views expressed during the Minorities Colloquium which our Office had held in the fall of 1985. It heard from representatives of such associations as the Fédération des Francophones hors Québec, Alliance Québec, the Société nationale des Acadiens, the Association canadienne d'éducation en langue française, the Fédération canadienne des enseignants et enseignantes, Canadian Parents for French and the Commission nationale des parents francophones, as well as a number of expert witnesses, including education specialists. The Committee's first report to Parliament was therefore on the implementation of Section 23 of the Charter of Rights and Freedoms, which deals with minority language education rights.

In it, the Committee concluded that most provincial legislatures have yet to comply with the provisions of Section 23. If this serious state of affairs is allowed to

persist and the number of related court cases continues to increase, difficulties in applying Section 23 will begin to obscure its essential purpose.

On several occasions the Committee heard testimony to the effect that the financial assistance the federal government gives to the provinces for minority language instruction is not always used for that purpose. A number of groups also complained of the lack of post-secondary education in French in many provinces outside Quebec. Given the federal government's considerable financial participation in post-secondary education, the Committee felt it important to tackle this problem and recommended that the government add the issue to the agenda of the National Forum on Post-Secondary Education in Saskatoon in October, 1987. It also suggested that a federal-provincial conference of first ministers be convened to discuss official languages education at all levels. Lastly, it proposed that the parliamentary review of Bill C-72 be confided to this particular joint committee.

In his reply to the Committee's report, the Secretary of State, the federal minister responsible for these matters, said the lack of post-secondary education in French in many provinces outside Quebec was indeed raised at the National Forum in Saskatoon. He also promised to bring up the possibility of a federal-provincial conference of first ministers on official languages education with the Council of Ministers of Education, Canada. The Minister pointed out, however, that "the government already has well-established means of federal-provincial co-operation in the area of official languages education", and that a number of these issues were already being discussed as part of negotiations to renew the five-year funding agreements for both minority and second-language programs. He also felt it was better not to depart from standard parliamentary procedure as regards the Official Languages Bill: since both houses of Parliament must examine it separately, the Bill should be reviewed by separate legislative committees; the MPs and Senators on the Joint Committee would be able to sit on the committees of their respective houses.

Report on the official languages program

The Committee then turned to its main mandate, that of acting as the parliamentary conscience of federal institutions whose duty is to apply the official languages program. Three of the 20 federal agencies that testified before the Committee in 1987 later returned to report on the measures they had taken or intended to take to correct their official languages failings. They were the Royal Canadian Mounted Police, the Correctional Service of Canada and the Canadian Security Intelligence Service. Most of the other agencies heard have been invited to re-appear before the Committee in the near future.

On the basis of these lively and well-conducted hearings, the Committee submitted a report on the official languages program in the federal administration. It contended that much remained to be done to bring the reform to fruition. The implementation process lacks drive and direction in its overall management and receives less attention that it deserves in many departments and agencies. Even

Treasury Board was accused of allowing certain situations to deteriorate in recent years. New agencies have been created and permitted to operate without submitting an official languages plan for approval. The central agencies failed to promote reform by their inability to set up an effective official languages accountability system.

The Committee took exception to the fact that minority language citizens are seldom served in their language, even in parts of Canada where they are present in large numbers. This situation is particularly deplorable in the case of agencies with coercive powers and where the public's health and safety may be endangered. "Certain other bodies continue to project a unilingual image of Canada though their offices and services are distributed across the country: Petro-Canada, Canada Post."

The 1973 Parliamentary Resolution confirmed the right of public servants to work in the official language of their choice subject to certain conditions. However, the language of work in the Public Service is still, "to an overwhelming extent", English, even in institutions with a critical mass of Francophone employees in the 20% to 25% range. Very few guidelines have been issued to promote the use of English and French in the work place, a factor that led the Committee to wonder whether "the very concept of language of work will remain a nebulous notion in the Public Service, without any basis in reality."

Finally, the Committee found that, although the government has succeeded in establishing a satisfactory overall balance among Anglophone and Francophone employees, it is far from achieving its basic participation objectives. There are still many disparities in various employment categories and in certain regions of the country. Francophones are under-represented almost everywhere in the Management category and over-represented in Administrative Support. They are also under-represented in many places outside Quebec, as are Anglophones in the federal Public Service in Quebec, despite the efforts made in recent years to correct that imbalance. The Committee made almost a dozen recommendations on virtually all aspects of the program, from full participation to language training and the bilingualism bonus for public servants. Several concerned such technicalities as the designation and staffing of bilingual positions, required levels of second-language proficiency, and conditions for access to language training.

In his reply to the report, the President of the Treasury Board recognized the validity of most of the Committee's criticisms and expressed government's determination to do better once Bill C-72 is adopted. Government's commitment was, in his view, fully reflected in the text of the Bill, and Treasury Board would not hesitate to take all necessary steps to enforce the Act. The Board nevertheless maintains that, within the general policy of administrative delegation, it is up to each institution to organize its resources in the manner most appropriate to its purpose and circumstances. Government still feels, too, that there are practical limits to the universal use of "imperative staffing" for bilingual positions, and

will therefore continue the policy of giving unilinguals access to bilingual positions provided they are ready to become bilingual.

We hope the legislative review of Bill C-72 and its passage by both houses of Parliament will prove that the Committee's 1986-87 hearings were a fair and effective way to press for further reform in the official languages program.

Televising the Calgary Winter Olympics

The Committee wound up the year with a short report on plans for televising the Winter Olympics. These did not provide for French television coverage for the country as a whole. After the Committee's representations a compromise solution to this problem was worked out. (Readers will find a more detailed account of this issue in Part IV.) The Committee nevertheless wanted assurances that similar situations would not occur in future and recommended "that Government adopt a policy and issue specific directives to ensure that any popular event of national significance funded with federal contributions shall reflect Canada's linguistic duality in all its aspects, in particular its organization, its administration, its signage, its publicity and its broadcasting."

We are delighted that the Committee's role will be given more prominence under Bill C-72. Much ultimately depends on the energy and thoroughness with which the Committee does its work. Both characteristics were much in evidence in 1987 and made no small contribution to the budding of a revitalized language program.

PART II

Equality in Three Dimensions: Analysis

Equality in Three Dimensions: Analysis

Last year we portrayed the state of language reform as a ship becalmed, its crew involved in a great deal of busy work. The millpond remained unrippled through most of 1987. In the last quarter, however, the breeze picked up and raised hopes that the ship might finally make it to open sea.

The signs of new activity at Treasury Board and in a number of other agencies are largely due to the tabling of Bill C-72, the work of the Standing Joint Committee and the action taken by the Governor in Council, to which the Commissioner submitted three special reports on a number of longstanding problems. However, since most of these developments were administrative in nature, it is still too early to determine their impact on service to the public or language of work in the Public Service.

Consequently, we must report that little progress was made in 1987 to achieve the three major objectives of language equality: the provision of bilingual service to the public, the use of English and French as languages of work and the full participation of both official language groups. Complaints against federal institutions and our 1987 audits and follow-up studies indicate that it will take more than a gentle breeze to blow our vessel to sunnier climes more conducive to the achievement of our goals of equality, quality and continuity.

Complaints

In his capacity as linguistic ombudsman, the Commissioner each year receives an increasing number of complaints — an essential contribution to language reform. In an effort to provide greater protection for the language rights of Canadians, we have improved our complaints-handling process by grouping them together when appropriate, and have tightened our methods of investigation to improve the effectiveness of our dealings with federal institutions.

Complainants should not underestimate the importance of their role in spotting program weaknesses and helping us detect systemic barriers that cause recurrent problems. The following trends were apparent in the complaints we received in 1987 (see Table A.1 for more details):

- complaints increased by over 28.2% in 1987, from 1,840 in 1986 to 2,360 this year;

- complaints about federal services rose from 1,583 in 1986 to 2,080 in 1987, an increase of 31.4%;
- the number of complaints dealing with language of work remained more or less the same, rising slightly from 242 in 1986 to 248 this year;
- weaknesses in Anglophone-Francophone participation gave rise to 15 complaints in 1986 and 32 in 1987.

The following three chapters contain our analysis of the condition of the three basic components of language reform in 1987.

Service to the Public: Getting It Right

Did federal departments and agencies provide better bilingual service to Canadians in 1987? The short answer is that it was no better and no worse than in the past seven years. While progress was significant between adoption of the 1969 Official Languages Act and the late 70s, the 80s have seen only slight improvements in the delivery of federal services in both languages. Despite appreciable efforts by the central agencies and various institutions, the treatment of our Anglophone and Francophone minorities still falls short of linguistic equality and justice. Confirmation of this fact is found in our studies and audits and in the many complaints we receive from the public.

At the end of 1987, the situation was as follows: the quantity and quality of bilingual services from federal institutions are generally satisfactory in the National Capital Region and the bilingual regions of Quebec; in other parts of Canada where both language groups are present, bilingual services are often invisible or non-existent, and their quality usually leaves much to be desired.

Overview of 1987 audits

In 1987 we conducted 22 audits, follow-ups and special studies that included an examination of language of service. These thorough investigations revealed that most infractions of the Act are largely explained by the perpetuation of inappropriate administrative practices and a lack of sensitivity to the needs of the public by some government employees. Those practices and attitudes, which often constitute systemic barriers, are mainly as follows:

- One of the major causes of the shortage of bilingual staff is the frequent "non-imperative staffing" of bilingual positions, a practice that makes it possible to appoint unilingual candidates. This staffing method, which was intended to be temporary when it was adopted in 1973, is still a major impediment to the delivery of bilingual services. As of September 30, 1987, 1,672 (32.8%) of 5,101 unqualified incumbents of positions designated bilingual for language-of-service purposes occupied such positions as a result of non-imperative staffing.

- We also found that the lack of actively offered service in English and French is closely linked to the inadequate language skills of many officially bilingual employees. As of September 30, 1987, 6,377 bilingual positions (10.2% of all such positions) required only the elementary level of second-language proficiency (A level or less). Despite the recommendation we made in our 1986 Report, this situation has remained unchanged. It should be noted, however, that the President of the Treasury Board informed the Standing Joint Committee on Official Languages in November that the government was in favour of progressively eliminating the A level for bilingual positions involving service to the public.
- For over 10 years, government policy has allowed administrative arrangements to be made to offset the shortage of bilingual staff and to fill the gap when unilingual employees occupy bilingual positions. Our review of these various arrangements indicates that they usually do not work in practice and fail to guarantee service of equal quality to both language groups.
- Lastly, despite our repeated reminders to many institutions, our audits show that public servants are often largely unaware of the importance of language rights and are rarely held accountable for such matters. How often, we wonder, are we expected to explain to complainants that the employee "forgot" to provide bilingual service?

What complaints reveal

One striking trend emerging from our analysis of complaints about service to the public is that their number, which has increased considerably in recent years (from 1,583 in 1986 to 2,080 in 1987, an increase of 31.4%) continues to rise, and that the complaints most often relate to issues which have been raised many times with the institutions in question. It would therefore appear that the corrective action taken does not really go to the root of the problem or that, in some instances, its impact will be felt only over the long term. In both cases it is the public that suffers. Following is a representative sampling of cases.

Shortage of bilingual staff

On November 12, 1986, in Dieppe, New Brunswick, **Canada Post** opened a postal boutique, which not only provides regular postal service but also sells philatelic items and postal souvenirs. Dieppe, just outside Moncton, has a population of 8,500, 71% of which is Francophone.

By November 20, we had received our first complaint: a Francophone was initially greeted in English and only after some insistence and a lengthy wait while the wicket clerk sought a colleague who spoke French was he served in his own language. This story was repeated several times before year's end, and when our regional officers went to examine the situation, they met with the same treatment. In 1987 service in French continued to be sporadic and complaints continued: we now have 17 about this one outlet.

In one case, a clerk simply pointed to a sign indicating that service was available at that wicket in English only. Since no one else could speak French, the customer had to write down the amount of the money order he wanted. Another had to draw a picture of a stamp and write down its value and the number he required. Some clients in frustration resorted to English, if able to, or tried to find a customer to interpret for them. And lack of service was not the only issue: one elderly lady was humiliated because postal employees grumbled and groused at her request for service in French and, on one recent occasion, reportedly laughed openly at her when, in broken English, she sought assistance from another customer.

Our investigation revealed that there was no verbal offer of service in French and no sign to indicate at which wicket bilingual service could be obtained. Only two of the five employees are bilingual and, since clerks work on a rotational basis, there is sometimes no bilingual capacity at the counter. Despite numerous meetings with Canada Post officials in Moncton and Ottawa and a prolonged exchange of correspondence, we have had difficulty obtaining a permanent solution to this flagrant violation of the Act. At the end of July, we recommended that the Corporation take the necessary steps to ensure that, by September 15, service of equal quality in English and French would be available at Dieppe during all business hours. While the Corporation agreed to re-identify all positions as bilingual, the necessary changes still had to be negotiated with the union, and our complainants continued to suffer the same unacceptable treatment. In December, we formally asked the president of Canada Post to inform us by the end of 1987 when the positions would be bilingual and staffed with qualified employees, when incumbents' language training would be completed and when service in French would finally be guaranteed. At this writing the situation is still unresolved.

Insensitivity to the language needs of the public

Two other cases show how a number of factors can inhibit demand for services in the minority language.

The Plant Health Division of **Agriculture Canada** assigned two unilingual English inspectors to Prescott-Russell County, Ontario, where most farmers are Francophone. The Department first informed us that service was available in French at the sub-district office in Ottawa and that inspectors would make use of that service if a Francophone customer had difficulty communicating with them in English. Actively offered bilingual service still appears to be a nebulous concept for some managers. A few months after we intervened in the matter, the Department assigned a bilingual inspector who will now provide service in French to clients who request it. In addition, one of the Anglophone inspectors will take French courses, and inspector positions will be identified as "bilingual imperative" when they fall vacant. We are confident that the situation will finally be settled in the coming months.

At the Le Village Place Cartier shopping centre in Hull, staff at an **RCMP** booth set up to inform the public about drug and alcohol abuse distributed documentation

in French only. For reasons difficult to understand, the RCMP officers responsible for this presentation had decided French would be the only language of communication with the public. Immediately recognizing this *faux pas*, however, the RCMP apologized to the complainant and sent the necessary reminders to the employees in question.

Bilingual service is not a lottery

National Revenue (Customs and Excise) has a number of bilingual employees at its offices near the international bridges in Ontario's Niagara region. The problem is that there are not enough of them and the public is given no indication where they are located. Consequently, any encounter between Francophones and bilingual customs officers is more or less a matter of chance. Arrangements to handle this type of problem are inadequate because members of the travelling public wishing to be served in French are asked to report to a secondary inspection station. As a result, travellers very often feel obliged to make do in English. At the Department's invitation, we visited three bridges and observed a number of weaknesses in the system. We also noted that signage along the bridges was still in English only.

We recommended that the Department designate a bilingual inspection position at each location, clearly identify where the position is located before travellers begin to line up, and take the necessary steps to have bridge administrators make their signage bilingual. The Department accepted the principle of the bilingual position, and a pilot project is to be carried out at a Niagara region bridge in the coming months. The Department also agreed to take care of the signage issue. We hope this longstanding problem will at last be settled in 1988.

A number of Anglophones in Quebec reported that many offices of the **Canada Employment and Immigration Commission** in that province do not offer their services actively in English and French. We know how unpleasant it is to have to insist on services in one's own language. Following our intervention, the Commission agreed to make its staff aware of the need to offer services actively in both languages and to exercise closer supervision. We therefore hope to see appreciable improvements shortly so that services are provided without a hitch to both official language communities.

Intimidating nature of certain functions

If there is one time when Canadians want to use their own language, it is when a **National Revenue (Taxation)** auditor comes to examine their financial statements. A Franco-Ontarian had to insist that the Department send an auditor able to deal with him in French. His complaint underscored a problem that has been reported to the Department on a number of occasions since 1982: the very low bilingual capability of its collections and auditing services outside Quebec. There are no bilingual auditors in Halifax, Hamilton, Edmonton or Vancouver, and only two out of 628 in Toronto. The Department made a firm commitment to correct the situation during its appearance before the Standing Joint Committee in November. We will follow the matter with great interest.

A Saskatchewan driver was stopped by **RCMP** officers and taken to the police station. When he asked for an explanation in French, the officer answered that

his request would complicate formalities and that he might have to spend the night at the police station if he persisted in using French. The driver's lawyer intervened and clarified the situation. At year's end, we were waiting for the RCMP's comments on this case, which we intend to follow very closely.

Regional studies

We conducted two special studies in 1987 on the availability and quality of services in certain regions. The first was a test conducted in seven cities, the second a study of Prince Edward Island.

Telephone service: Test results

Late in the year, we tested the quality of telephone services provided by 55 federal offices, our primary purpose being to assess the offer and availability of service in both languages in cities where there is "significant demand": Winnipeg, Toronto, Sudbury, Pointe Claire, Sherbrooke, Moncton and Saint John. Among other things, we tried to determine whether service in both languages went beyond mere bilingual telephone reception.

In general, the results revealed the existence of service in the minority language in 82.4% of cases, provided callers were patient enough to wait. This figure is somewhat deceptive, however, because of the widespread, though imperfect, delivery of bilingual services in Quebec, a fact that counterbalances the data on the poor French-language service provided outside that province. In the bilingual regions outside Quebec, service was unavailable in French 20% of the time.

Topping the list in this respect was Winnipeg, where service was not provided in French in one-third of all cases. Next came Saint John, where service was unavailable in French 27% of the time, followed by Toronto (26% of the time).

We often had to insist on or wait for service in the minority language. The figures on telephone reception are very revealing. In Toronto, for example, reception was in English 13 of 38 times. Receptionists continued in French in 18 cases and we were often asked to use English. The proportion of calls initially answered in one language only varied from 22% in Winnipeg, Sudbury and Moncton to 53% in Pointe Claire, 56% in Saint John and 60% in Sherbrooke.

It is thus clear that, even in regions officially designated bilingual for language-of-service purposes, the same old problems still persist.

Federal services in Prince Edward Island

This year marked the start of a new generation of field studies by our Office to gain a better understanding of the language situation in regions where both communities are present. Unlike our traditional studies, which focus on a single federal institution, the new approach is designed to embrace all federal services provided in a particular region, as well as the specific needs of the official language minority.

We tested our new method in Prince Edward Island at the request of the Société Saint-Thomas d'Aquin, the provincial Francophone association. Our team

examined 18 federal institutions, visited the Acadian regions and heard the views of many interested parties.

According to the 1986 census data, 4.1% of the total population (5,155 of 126,645) have French as their mother tongue. It should be noted that 1,340 persons (1.1% of the population) declared both English and French as their mother tongues. In general, our study revealed that federal services in Prince Edward Island are not only rudimentary, but also largely inaccessible to the major Francophone communities of the province, which are located some distance from the capital. In light of this, we suggested that fully bilingual federal service centres be established in the largest Francophone centres in the province, the first being in Évangéline where 30% of the Island's French speakers live. Centre staff would be fully bilingual and would receive basic training in the most common federal programs and services, such as unemployment insurance, employment programs, income tax and old age pensions. Well-advertised toll-free telephone lines should be made available to the public throughout the province.

This solution would be the start of a genuine process to bilingualize federal services. The idea was very well received by Francophone users and federal managers in Prince Edward Island. The central agencies to which we presented the concept — Treasury Board Secretariat, Department of the Secretary of State and Public Service Commission — also expressed interest. It is now up to them to take action.

Achievements in 1987

This year was marked by the work of the Standing Joint Committee on Official Languages, the Commissioner's special reports to the Governor in Council and various departmental and central agency initiatives. Following are some examples:

- In December, the President of the **Treasury Board** made public a new symbol to identify points at which service in both languages is actively offered. The symbol will be installed in 1988. We are delighted with this initiative, which comes in response to our repeated requests and is an excellent complement to the material which this Office has made available to federal institutions for many years.

- During the year, the **Treasury Board Secretariat** also placed greater restrictions on eligibility for the bilingualism bonus. These new measures require employees receiving the bonus to take language proficiency tests every three years; this will no doubt encourage a number of incumbents of bilingual positions to use their second language more often to avoid becoming rusty. The measure will likely influence the quality of service provided to the public in the minority official language.

- In response to our special report to the Governor in Council in late December 1986, **Via Rail** made some progress with respect to its collective agreements with employees. The seniority principle governing staffing is now tempered

by linguistic considerations designed to improve service to the public. The agreement, however, does not apply to all positions whose incumbents have contact with the travelling public. As a result, crews reporting to CP and those of CN transferred to Via in June 1987, who belong to another union, are not yet affected. Via proposes to correct the situation when this group's collective agreement comes up for renewal on December 31, 1988. In the meantime, Via officials will have to continue efforts to ensure that work units have the necessary language skills to offer services actively in both languages whenever the Act so requires.

- In the past, we have reported on language problems and complaints associated with the **Canada Games**. In 1987 the Canada Games in Cape Breton were a resounding success in linguistic as well as sporting terms. Before the Games began we received a few complaints concerning the lack of bilingual services to the media, but these were settled before the opening ceremonies. The next Canada Games will be in Saskatoon in 1989 and in Prince Edward Island in 1991. In Saskatoon, the Organizing Committee, encouraged by officials from Fitness and Amateur Sport and by this Office, has given considerable thought to the linguistic requirements of the Games, and bilingualism seems to have a good post position. In Prince Edward Island, language matters have got off to a slower start and must pick up speed if the record set in Cape Breton is to be equalled or surpassed.
- Since October 1987, the **Department of Transport** in the Ottawa region has provided flight information services in both official languages to pilots. After many years of waiting, this achievement augurs well for more extensive use of French in the air.
- **National Health and Welfare** made a number of toll-free telephone lines available to Francophones in the western provinces, thereby giving them access to services in French.
- **Environment Canada** has agreed to publish its announcements systematically in the minority press. **Petro-Canada** will do the same for its advertising across Canada.

This short list of initiatives — by no means complete — indicates that progress toward meeting the objectives of the Act, while not always easy, is certainly possible.

The recommendations made in last year's Report specifically addressed certain problems that recur from year to year. We look forward to the adoption of Bill C-72 because it is essential that the inadequacies of the present legislation be corrected with respect to the service obligations of federal institutions and the corresponding language rights of the public. The regulations of the Governor in Council which will follow from the new legislation should of course be designed to enable both official language communities to benefit in full from the services to which they are entitled.

It is also clear to us that no appreciable improvements will be made to service to the public in both languages if government does not clarify its policies and, in particular, does not secure the means to implement them. We were pleased to note that the Treasury Board Secretariat took preliminary steps to implement three of our recommendations: the definition of "significant demand" and "nature of the office"; the active offer of service; and the elimination of the elementary level of second-language proficiency for positions involving service to the public. We repeat the recommendations we made last year which, especially in light of Bill C-72, merit greater attention and add one that is new this year.

Recommendations

We recommend that government:

- **implement, as soon as possible after adoption of the new Act, generous, easily enforceable regulations which take into account real and potential demand, the nature of government offices and the fact that respect for the language rights of members of the public in a number of regions is long overdue;**
- **within two years, ensure that every office offering services to members of an official language minority has at all times at least one fully bilingual employee (C level) capable of handling complex issues;**
- **take concrete steps to introduce and monitor the accessibility and active offer, both visual and verbal, of services in both official languages in the regions;**
- **within two years, eliminate the elementary level of second-language proficiency (A) for most positions involving service to the public;**
- **issue directives concerning use of the English- and French-language media and ensure that such directives are implemented through effective controls;**
- **adopt stricter control measures so that administrative arrangements introduced on a temporary basis by federal departments to compensate for the lack of bilingual skills of certain employees in bilingual positions are made more effective.**

Full Participation: A Sense of Sharing

The principle of full participation in the Public Service by the two official languages communities flows naturally from the equality of status and privileges proclaimed in the 1969 Act and has been government policy since the 1973 Parliamentary Resolution which enunciated the broad objective "of achieving, within the merit principle, full participation... by members of the Anglophone and Francophone communities." The missing elements have been a more explicit statutory basis for this concept and a recognition that full participation is more complicated than arriving at departmental totals and percentages for both groups. That gap will presumably be filled if and when the Official Languages Bill (C-72) now before Parliament is adopted.

The overall picture

The latest statistics show that overall Anglophone and Francophone participation within the federal Public Service stands at approximately 72% and 28% respectively. The critical threshold has thus been attained and government will have to remain vigilant to ensure that a satisfactory overall balance is maintained. These aggregates nevertheless mask serious sectoral and regional imbalances for both language groups. Francophones are still under-represented in the all-important Management and Scientific and Professional categories, as well as in New Brunswick and the bilingual regions of Ontario. Anglophones, on the other hand, are under-represented in the Administrative Support category in the National Capital Region, and in federal offices in Quebec. Care must of course be taken to ensure that the necessary correction of these imbalances does not lead to the creation of others.

The following pages analyse in greater detail these regional and hierarchical imbalances and report on the corrective action proposed or already undertaken by a number of institutions.

Hierarchical Imbalances

Imbalances at various levels of the Public Service are very persistent. Particularly disquieting is the fact that, while Francophone participation is below par among

executives, it is still lower in the two groups from which they are most likely to be promoted.

Table II.1

Anglophone and Francophone participation at senior levels of the Public Service, 1986

	Anglophones		Francophones	
	Number	%	Number	%
Executives (EX)	1,985	78.7	536	21.3
Senior Managers (SM)	1,546	80.5	375	19.5
Senior Officers (One level below SM)	6,699	81.7	1,500	18.3

Source: Public Service Commission, 1987

Only at three steps removed from the Executive rank does the percentage of Francophones (23.7%) begin to approach the national figure. To some degree, the weak Francophone presence at the SM and senior officer levels probably reflects to a certain extent Francophone under-representation in the Scientific and Professional category. We believe the Public Service Commission should conduct a study of the reasons for this low Francophone participation in the "feeder groups" to provide a solid basis for solving this problem.

Statistics on appointments from outside the Public Service (other than by Order-in-Council) are scarcely more reassuring. As of September 1987, nine of 45 executives and senior managers so appointed (20%) were Francophone, a rate of recruitment that does little more than perpetuate the status quo. Once again, however, percentages can be deceptive: it would have taken only three or four additional Francophone recruits to reach or pass the "magic" 25%, and a couple more to start redressing the balance.

Nevertheless, the Public Service Commission has made considerable progress in developing inventories of Francophone candidates qualified for management positions. Two of its development programs, the Women's Career Counselling and Referral Bureau and the Career Assignment Program (CAP), are responsible for about one-fifth of all appointments to Executive and Senior Management positions. The Bureau has managed to raise the proportion of Francophones in its inventories from one-fifth to one-third, and CAP has maintained a steady 35% Francophone participation rate for the past four years.

Administrative Support category

If weaknesses are still to be found in Francophone participation, a somewhat similar situation applies to Anglophones in other sectors of the federal work force. For instance, English speakers are considerably under-represented in the Administrative Support category (66.6%). This imbalance is partially explained by the fact that 36.2% of the 69,000 employees in this category are located in the National Capital Region where the local population is 35% Francophone, and

a further 14% in Quebec where French speakers make up more than 80% of the population. It is thus not wholly surprising that Francophone participation in this group, which is in general recruited locally, is on the high side. Also, many employees in this category are called upon to provide service to the public in both languages, and Francophones tend to be more often bilingual than Anglophones. Nevertheless, where these percentages are particularly distorted — for example, in the Canadian International Development Agency, the Canadian Radio-Television and Telecommunications Commission, the Public Service Commission and the Secretary of State's Department, all of which have Anglophone participation rates of 35% or less — there is a clear need to adopt vigorous measures to bring the situation into fairer balance within a reasonable period of time.

Regional imbalances

As we have noted in the past, Anglophone participation rates in the federal Public Service in Quebec have fallen over the years to intolerable levels. In January 1987 the Commissioner submitted a report to the Governor in Council calling for energetic action to prevent this trend from becoming irreversible. From 12.6% in 1976, Anglophone participation had fallen to 5.5% by June 1987, even though more than 10% of the population of Quebec had English as their mother tongue. Some progress had been made in stemming the decline in Anglophones at officer levels, but the situation remained extremely critical in the Administrative Support and Operational categories, representing more than half of the 31,000 federal public servants in Quebec. Here, Anglophones constitute only 3.2% of all staff. In response to the report, the Treasury Board Secretariat which, in all fairness, had made various attempts to remedy the situation over the past four years, established a committee of representatives from the major departments concerned and the Anglophone community. The committee's nine-point plan included such proposals as the need to make managers more aware of the problem and take the necessary corrective measures, increased contacts with the Anglophone community and its educational institutions, and a review of the second-language requirements of bilingual and entry-level positions. The committee has scheduled two follow-up meetings, in mid-1988 and at the end of the year, to examine progress. We too shall monitor the situation very closely over the next year and beyond.

Although the situation in Quebec is the most serious, other significant regional imbalances persist. In New Brunswick, where one-third of the population is Francophone, employees whose mother tongue is French occupy 28.6% of all jobs in the federal Public Service. In the bilingual regions of Ontario in 1986, 23.1% of positions were held by Francophones who represent just under one-third of the population. With the precedent of the above-mentioned committee in mind, we have asked Treasury Board to conduct a study of Francophone participation in bilingual regions outside Quebec and make specific proposals for corrective action. As we write, the Board is still considering the matter.

Advisory committees

We saw in 1987 that decisive administrative action can make a difference to the balance. For instance, at Energy, Mines and Resources, Francophone participation increased in the Management category from a very low 10.9% to a more respectable 15.6% without preventing significant recruiting and promotion of Anglophones. That progress is attributable to the vigorous implementation of recommendations of an Advisory Committee on Equitable Participation established at the request of the Minister. For both the Management and the Scientific and Technical categories, the Committee established medium and long-term objectives tied to the relative presence of Anglophones and Francophones in Canada's population, and proposed a number of concrete steps to achieve them. It was agreed, for example, that for every position which opened up in these categories, a sufficient number of qualified Francophone candidates would be found — and interviewed in French — to ensure full application of the merit principle. It was recognized as well that full Francophone participation in the upper echelons of the Department would not be attained unless French became an everyday language of work. Objectives in this area were therefore also established. Similar committees have now been set up by the National Energy Board, the Atomic Energy Control Board and Petro-Canada, although it is too early to judge whether these institutions have in fact made progress.

Science in French

The institutions mentioned above have large scientific components and, as the Commissioner pointed out in a speech to the Association canadienne-française pour l'avancement des sciences, the future of French as a language of science is an important feature of a revitalized official languages program for Canada. The Scientific and Professional category is a large one — 23,000 employees, about 10% of all public servants. Since the federal government is the largest employer of scientists in Canada, its action is bound to have a major impact on the rest of the scientific community. Francophone participation in that category stands at 21.9%, but this figure does not reflect the fact that only 13% of the scientific personnel employed by the National Research Council are Francophone and that participation rates are even lower in Petro-Canada and other agencies.

Although English is dominant in international science, Francophone participation in the Public Service can be raised and the use of French as a language of science increased. One approach is to create centres of excellence in which most of the work can be done in French; an example is the Maurice Lamontagne Institute at Ste-Flavie, Quebec, which opened in June 1987. The Institute, established by the Department of Fisheries and Oceans, conducts research in hydrography, oceanography and fisheries, and will eventually have some 200 employees, all working in French. It is still too early to assess the wider impact of the Institute, but the start is a promising one.

Toward greater equity

We can therefore conclude that long-standing hierarchical and regional problems persist, but that some shafts of light have cut through the obscurity. For instance, the Treasury Board Secretariat has now followed up on three of the recommendations we made in last year's Report with respect to letters of understanding, the staffing of senior positions and Anglophone representation in Quebec. With passage of Bill C-72 and the new powers it would confer on Treasury Board (see Part I and Appendix B), it should be possible to move toward even greater equity, though hiring restraints will necessarily reduce the scope of possible action. Decisive action at the administrative level, with firm political backing, can yield important results.

Recommendations

In light of the above, we recommend that:

- **Government analyse Anglophone and Francophone participation in the federal administration to assure better human resources planning. Such planning should take account of staff mobility and turnover and distribution by age group and region.**
- **Departments and Crown corporations with major imbalances in participation ratios establish *ad hoc* committees to prepare appropriate action plans.**

Language of Work: Tongue-Tied

Of Government's three official language objectives, there can be no doubt that the language-of-work goal is the most difficult to achieve. Founded on Section 2 of the Official Languages Act and made explicit in the 1973 Parliamentary Resolution, the principle is that federal employees should be able to work in the language of their choice in the bilingual regions of Canada. However, unless institutions take this matter far more seriously, the day is still distant when French will be freely used as a language of work in the National Capital Region and in the bilingual regions outside Quebec, or when English will again enjoy similar currency in the bilingual regions of that province.

Provided of course that they are in the habit of doing so, people tend to work better and more productively in their own language. A viable language-of-work regime enriches the work environment, improves the written and oral quality of language use and makes the federal Public Service a more attractive work place for employees of both language communities. Language of work is in that sense one of the key elements of progress in the language reform program.

This year's audits, studies and complaints again confirm Bacon's contention that "States are great engines moving slowly." Despite a number of promising initiatives by the central agencies and some institutions, little tangible progress was made in 1987 toward a more balanced use of both languages in most federal institutions.

Messages from our audits

In 1987 our comprehensive audits and follow-up studies indicated that a major impediment to progress in language of work is the inadequate second-language proficiency of "bilingual" supervisors in bilingual regions. Francophones say they are reluctant to use French with their Anglophone supervisors because they perceive them, rightly or wrongly, as having an inadequate command of the language. And, to a somewhat lesser degree, Anglophone employees in Quebec have, over the past decade, begun to encounter much the same problem with English. This is especially disconcerting when, in the National Capital Region

and in Quebec, close to 50% of all employees and over 80% of all supervisors have qualified as bilingual and receive the bilingualism bonus.

At the national headquarters of many federal institutions in Ottawa, most executive committees still function almost exclusively in English, and meetings at lower levels are generally held in English only. Widely used administrative manuals are generally available in both languages, but other work documents (memoranda, organization charts, computer print-outs, financial reports, work plans, directives, statistical tables and so on) are too often in English only with "French to follow". In a number of scientific and technical sectors, even basic reference documents are unavailable in French, often because authorities fail to insist that suppliers furnish versions in both official languages.

Our study of the communications branches of five federal institutions in the National Capital found that, even in these public relations areas where Francophone representation averages 40%, French is still rarely used to draft urgent material. Although some 30% of routine speeches and similar texts are drafted in French — a marked improvement over previous years — press releases are drafted in French only 5% to 20% of the time, depending on the institution. The normal practice, even for Francophones, is to prepare releases in English and have them translated. The right to work in one's language apparently becomes more marginal in the heat of battle.

Little was done in 1987 to pursue the idea of a "reciprocal civic obligation" between employees, a concept we introduced in our 1985 Report and refined in 1986. It proposes that bilingual supervisors in the National Capital Region and in bilingual regions outside Quebec accept the obligation to actively encourage the use of French by Francophone subordinates and create a work environment conducive to its use. Bilingual supervisors in the bilingual regions of Quebec have a similar obligation with respect to English. The reciprocal obligation of minority language employees in either case is simply to use their own language as a matter of course. If put into practice, this concept would help re-establish English as a genuine working language in bilingual Quebec. In other bilingual areas, Anglophones would get the practice they need in speaking French, Francophones would have real opportunities to work in French, and the use of French would gradually become more commensurate with its official status, not to mention its practical value and prestige as a national and international language.

Complaints as tools for reform

Complaints are one of the ombudsman's most useful tools. Individual complaints often reflect the grievances of dozens, even hundreds of people. Many people stand to gain when a complaint investigation leads to a fair and reasonable solution. In 1987 we received 248 complaints on language of work, about the same number as last year. The following examples illustrate the nature of some of the systemic problems involved and the kinds of adjustments that can be made.

Personnel and central services

A French-speaking employee at External Affairs was unable to obtain service in French from the Pay and Benefits Section of the Compensation and Benefits Policy Division. The clerk in charge of her file was a unilingual Anglophone. Our investigation showed that, while some staff were bilingual, work in the Benefits Section was assigned without regard to the language preference of the employees being served. Six of the Section's 14 employees in bilingual positions were not linguistically qualified. The Division had no information on the language preference of employees, and its communications with them were generally in English only. Its informal administrative arrangements to provide service in French were inadequate: Francophone employees in several occupational groups were obliged either to speak English or communicate through a staff member who was not necessarily so well informed about their particular situation as their regular contact.

With a little prodding, the Department came up with both short and long-term remedies. It reminded staff that all written communications from employees are to be answered in the employee's language and that all messages addressed to departmental staff must be in both languages. To ensure bilingual service in all sectors, the Department plans to transfer some pay clerks from one occupational group to another. Where it is impossible in the short term to find a bilingual clerk, service in French will, for the time being, be provided by another employee. For a more lasting solution the Department has decided to staff future vacancies in the Section with linguistically qualified employees. Five employees of the Section have begun language training, and two "English-essential" positions have been changed to "bilingual". Service in French is now available, but we will conduct a follow-up study in 1988 to ensure that all is well.

The supervisor problem

An Anglophone employee in the Financial Management Directorate of the Canadian International Development Agency (CIDA) informed us that she occupied an English-essential position but had to do some of her work in French. Furthermore, her supervisor gave her instructions in French and, because the language requirements of her position were to be modified, she feared she might lose her job. Her difficulties were resolved when she passed her language test and was placed in a bilingual position where she is now supervised in her own language. In this case management met its linguistic and operational needs without penalizing the employee.

However, our investigation uncovered other language-of-work difficulties in the Directorate as a whole: supervisors conducted staff meetings involving Anglophones and Francophones in French only, and written guidelines were supplied to staff in one language only (sometimes English, sometimes French) rather than both. We recommended that CIDA take action to ensure that branch supervisors respect the language rights of their employees and that, where the normal supervisor is unable to speak an employee's preferred language, arrangements be made so that all employees are supervised in their language. The Agency took prompt steps to implement the first recommendation by holding

information sessions with all branch supervisors to make them fully aware of their obligations and reviewed all work instruments to ensure their availability in both languages. Progress on the second recommendation will be checked early in 1988.

Professional training

An RCMP recruit complained that he and other members of a troop of special constables were given their basic training in English only even though 28 of the troop's 32 members were French-speaking. Our investigation confirmed the complainant's allegations, and we recommended that all recruits be trained in the official language of their choice and that this language be clearly established before training begins. The RCMP acknowledged the error and agreed to follow our recommendation.

A hybrid complaint

A complaint which at first seems to deal exclusively with language of service can sometimes have important implications for language of work and lead to significant improvements in both areas. On behalf of the Chambre de commerce de Caraquet a complainant wrote to us about the staffing of the local RCMP detachment chief position. In the complainant's view the position called for more than an intermediate level of proficiency in French and yet a unilingual English-speaking chief was about to be appointed. In the end, six complaints on this matter were investigated together. We found that the appointee's knowledge of French was only at the intermediate level and reminded the RCMP that it recognizes the Caraquet area as having a 95% Francophone majority, not to mention that a very important part of the chief's job involves public relations.

There was also a significant language-of-work aspect to this complaint: all RCMP positions in the Caraquet area were occupied by Francophones, who were thus entitled to supervision in French. We therefore took the view that the position should have been staffed with a person with superior second-language proficiency. We noted that the Caraquet case underscored the RCMP's need to have a number of bilingual positions in New Brunswick with superior second-language requirements, such as the positions of detachment chiefs in other areas where there is a sizeable minority language population, and called for a review of the linguistic profiles of all such positions to prevent similar complaints. Initially, the RCMP stuck to its guns and defended the intermediate level requirement for the Caraquet position. In time, however, it agreed to appoint a new detachment chief whose second-language skills were at the superior level.

Spotlight on New Brunswick

New Brunswick is an officially bilingual province with a large Francophone population. In 1987 we began a comprehensive survey of the linguistic behaviour of some 3,000 public servants in 15 federal departments in the province. The target population consisted of Anglophones in bilingual positions and all Francophone employees. The response rate was 82.5%.

On the basis of self-reported second-language skills, we found that 40% of the Anglophones in bilingual positions spoke French with difficulty or not at all;

however, 72% admitted to understanding French without difficulty. French-speakers on the other hand all reported that they had no difficulty speaking or understanding both official languages. This correlated closely with the results of second-language examinations: 65% of Francophones stated that they had reached the C or Exempt levels as compared to 30% of their bilingual Anglophone colleagues.

In general, the self-reports of French use on the job were somewhat disappointing in that all respondents reported using very little French at work. When dealing with Francophone colleagues and subordinates, Anglophones used English 72% of the time, while Francophones dealt with Anglophone colleagues and subordinates in English 90% of the time.

Linking solutions to obstacles

Respondents were also asked to evaluate a list of personal and organizational obstacles to using their own language on the job, along with possible solutions. Anglophones and Francophones agreed that the most important solutions are as follows:

- More employees should at least understand and read in their second language.
- Bilingual supervisors should be evaluated in terms of the degree to which they succeed in creating an equitable language-of-work environment for both language groups.
- Employees who have worked for a long time in their second language should receive specialized retraining courses in their first language.

The next steps

Many additional analyses have yet to be carried out: for instance, inter-relationships between solutions and obstacles will be examined separately for Francophones and bilingual Anglophones, and we will study how they relate to the work environments of various occupational groups. These and other analyses should provide a better understanding of the conditions most likely to foster the use of French among bilingual Anglophone and Francophone public servants.

Success stories, initiatives and honourable mentions

Even though the imbalance of our two official languages in the work place has not changed much in the past year, a number of bright spots are worthy of special mention.

The **Standing Joint Committee on Official Languages** has continued to take an active interest in this question. In its Fourth Report it called for exceptional incentives to encourage bilingual Anglophones and Francophones to develop the habit of working in French and recommended that Treasury Board take the lead in this regard. The Board's reply was that Part V of the Bill C-72 incorporates and enhances existing government policy on language of work, but that it would nevertheless begin a series of projects with selected departments in the National Capital Region to help develop appropriate language-of-work regulations.

Our special report to the Governor in Council on the inadequate use of French at **National Defence Headquarters** is also beginning to bear fruit. The responsible minister and senior departmental authorities recently expressed a new commitment to integrating official languages obligations with operational objectives. An Executive Committee on Official Languages has also been set up to oversee the development of new initiatives. To tackle the backlog of unilingual English technical manuals and other documents, the Department received Treasury Board authorization to hire additional translators. Contract tenders for the purchase of new equipment will henceforth contain a clause requiring bilingual documentation to be available in time for the first staff training sessions.

French as a language of science

In the world at large the language of science tends to be English. Even when Canadian scientists conduct their research in French, the results are frequently published in English in the more widely read American journals. In an address to the Association canadienne-française pour l'avancement des sciences, the Commissioner called for a concerted effort by the governments of Francophone countries to protect and promote French as a language of science. He also alluded to the need for high-quality French-language scientific journals and stressed that French should be more regularly used orally at conferences and seminars, with simultaneous interpretation into English.

The **Treasury Board Secretariat** has agreed to establish a committee of senior executives responsible for scientific and technological programs to review the Commissioner's concerns and proposals. Among other things, it will examine the potential for creating work environments more conducive to the use of both languages and ways in which government can more actively promote French in science and technology, both nationally and internationally. A senior member of our staff will act as observer on the Committee, whose findings and recommendations are expected in April 1988.

The **Canadian Security Intelligence Service** deserves an honourable mention for having finally taken steps to ensure that telex communications between headquarters and its Quebec office are in French or in both languages, and no longer in English only. The **Bank of Canada** also deserves credit for organizing special days for working in French and an exchange program which allows employees to work for a number of weeks in areas where their second official language predominates.

At the **Department of External Affairs** our follow-up indicated that headquarters has responded to a number of the recommendations made in our 1983 and 1985 audits. French is used more often at senior management meetings and in oral and written communications in general. The Department also demonstrated that suppliers will do everything in their power to fulfil a client's needs provided the latter makes them known. As the largest single purchaser of the Canadian-made JLS microcomputer, the Department was in a good position to influence product development at the source. It needed a computer capable of functioning efficiently

in both official languages, so the company developed the truly bilingual Janus microcomputer which is capable of generating and displaying a full range of upper and lower case accented letters, with no loss of speed or memory capacity. The Department has thus made an important contribution to the creation of a bilingual information processing tool.

The **Department of Justice** has been working hard to upgrade the language skills of its supervisors. In 1987, 158 of 186 supervisors (85%) were qualified as bilingual compared to 78% last year. Especially noteworthy is that 46% of these positions require the superior level of language proficiency. The Deputy Minister has also called for bilingual documentation for meetings of the Executive Committee and its sub-committees, and an inventory of work instruments has been carried out to ensure that all are distributed in English and French.

If and when Bill C-72 becomes law, language of work will be transformed from a federal policy to an enforceable legal right and will usher in a new era. Will we be ready to meet the challenge? A 1982 report of a study on language of work conducted by this Office stated that progress in this area could not be limited to general guidelines; very specific and forceful measures had to be taken and sustained to redress imbalances. What was true then is even more so now. Treasury Board Secretariat must take the lead in this area by itself conducting careful studies to identify impediments and pinpoint what makes a minority language most viable as a working language. Part of this work might be incorporated into the Board's language use survey which, we understand, is to be repeated next year.

In light of Bill C-72, we repeat two of the recommendations made in our 1986 Report. The two others are new this year.

Recommendations

- **Senior management meetings at headquarters and in bilingual regions should be held in both official languages and the most senior bilingual person present should set the example, preferably as chairperson.**
- **Professional training should be provided in language-of-work principles and practices; it should include guidance on bilingual supervision, the conduct of meetings, performance appraisals, and so on.**
- **Subject to meeting their linguistic obligations, minority language public servants, whether Anglophone or Francophone, in bilingual regions should normally use their own language in the work place and be strongly encouraged to do so by their superiors.**
- **Treasury Board Secretariat should conduct carefully planned studies to identify the factors that impede progress in language of work with a view to finding new, effective ways to overcome them.**

PART III

Equality in Federal Institutions: Evaluations

Fifty Players: Waiting for the Conductor

The following pages contain an overview of the strengths and weaknesses of 50 federal departments, agencies and Crown corporations. Our choice is determined by the scope and nature of the services they provide and by their importance in government as a whole. This selection changes from year to year. During the year we also examined many federal organizations not included in this section, and our analysis of their linguistic performance will be included in a future Report. Asterisks indicate those in which a linguistic audit or follow-up study was conducted in 1987. Our evaluations are also based on the transcripts of the appearances of 21 institutions before the Standing Joint Committee on Official Languages.

Each analysis begins with a general assessment of progress or retreat in 1987 in relation to a specific reference point such as an audit or complaint investigation. This is followed by a number of remarks on the institution's performance with respect to the three components of linguistic equality: service to the public, language of work and equitable participation.

It should be borne in mind that, with some exceptions, service must be offered and provided actively and effectively in both official languages. Our judgements on the language-of-work objective are based on the degree to which the two languages are used in the institution in the bilingual regions of the country. Do both occupy their rightful place? Are employees free to perform their work in English or French, and do they receive internal services and training, for example, in the language of their choice? The equitable participation objective imposes an obligation on departments to ensure that the composition of staff reflects the presence of both official language communities. Each analysis ends with remarks on the management of the official languages program and a short description of complaints we received during the year.

The overall purpose of this exercise is to help departments and agencies improve their performance. We hope, too, that this information will assist parliamentarians in their own research and encourage those responsible for implementing the Official Languages Act to push even harder for effective action to solve the problems facing users of federal services and the staff of government institutions.

As our analyses show, many of these institutions are taking great pains to meet the requirements of the Act, while others are dragging their heels in achieving the three objectives of the program.

Agriculture

As in past years, the Department of Agriculture's bilingual capability is very limited beyond the National Capital Region, Quebec and New Brunswick. Indeed, its overall capacity has declined. French is hardly used outside Quebec as a language of work and, with Francophone representation at 21% (only 19% in the key Scientific and Professional category), this is not surprising. On the positive side, the official languages program is well organized, and this should eventually improve the Department's overall performance.

Service to the public in both languages is available in the National Capital Region, Quebec and in most offices in New Brunswick. Elsewhere, service in French is sporadic. In Regina, there is a special telephone number for queries in French, and research branches in New Brunswick and British Columbia provide bilingual service. In Winnipeg, on the other hand, while telephones are answered in both languages in some offices, it is difficult to find someone who speaks French well enough to provide meaningful service. Elsewhere — in Toronto, Belleville, Edmonton, Beaverlodge, Vancouver, Charlottetown and Summerside — service in French is either unavailable or offered only sparingly.

The Department has 4,671 positions involving service to the public. Of these, 1,583 (33.9%) are bilingual and 85% of incumbents meet the language requirements. While these overall figures are satisfactory, the distribution of bilingual positions could be improved. Outside the bilingual regions, only 118 of the 2,461 positions offering service to the public are bilingual. This creates problems in serving minority communities where there is "significant demand". Furthermore, while the percentage of all bilingual positions has remained at 22.4 since 1986, the percentage of linguistically qualified incumbents has dropped from 85.2 to 83.8.

French is used as a language of work throughout Quebec and in certain areas of the National Capital Region and New Brunswick. Generally speaking, the work environment is favourable to the use of French. Documents are issued in both languages, except for technical and scientific material, which is produced either in English or in French with a summary in the other language. Francophones are encouraged to speak French during meetings and do so to varying degrees. Central and personnel services are generally available in both languages. The same goes for most training and development, except for some specialized courses still available in English only.

The main difficulty with language of work stems from the fact that, as in other institutions with a scientific and technical vocation, Francophone scientists too often do not have the opportunity to work in French, or sometimes prefer to produce their work in English, one reason being the wider circulation afforded

English publications. While it is obviously not possible to dictate the use of language to individual scientists, our efforts, as well as those of the departments concerned and, indeed, those of the Francophone community as a whole, should be aimed at making it more professionally fruitful for Francophone researchers to work in French.

The language-of-work issue is closely related to low participation rates. In the Department as a whole, Francophones account for only 21% of the 11,590 employees. Significantly, Francophone participation is very low in every occupational category except Administrative Support, where it is a healthy 26.6% of 1,933 employees. Among the 194 top-ranking employees of the Management category, only 29 (14.9%) are Francophone. In the key categories — Scientific and Professional, and Technical — Francophone representation stands at 18.7% and 21.5% respectively. Here, there is ample room for improvement, particularly since both figures are slightly down from last year. Francophone representation in the Operational category, while up marginally from last year, remains at a low 17.6% of 1,656 employees. In Quebec, on the other hand, Anglophones account for only 4% of the 1,575 employees, the same proportion as last year.

The Department has much to do in the area of participation and, to its credit, has put the wheels in motion. A study has been undertaken of the language profiles of new and departing employees in an attempt to stem or offset the flow of departures of Anglophones from Quebec. Long-range objectives have been set to arrive at a suitable balance in New Brunswick, Quebec and the National Capital Region, as well as in other provinces. Contacts with Quebec institutions and professional associations have been increased with a view to finding more Francophone scientists and technicians.

Management of the official languages program is highly structured. The Department presents a three-year plan and interim yearly reports to Treasury Board. Managers prepare an official languages plan with responsibility centres and time frames. Directors and co-ordinators consolidate regional and sectoral objectives, while the Official Languages Service analyses all the branch plans and prepares a departmental plan for the approval of the Management Committee on Official Languages and ultimately of the Senior Management Committee. Furthermore, managers prepare twice-yearly progress reports which are reviewed by the Management Committee. Efforts like these are bound to pay off in the long run.

We received 18 complaints against the Department in 1987, as compared to 10 in 1986. Seven dealt with service to the public, either by telephone or in person. Two referred to the failure to place departmental publicity in the minority press, five to unilingual English documents and two to unilingual English signage. The remaining two complaints related to language of work. The Department was quick to respond to complaints and took effective measures to ensure that similar problems would not recur.

Air Canada

The linguistic performance of Air Canada remained unchanged in 1987. Generally speaking, it maintained the significant progress made in recent years in serving the public but still needs to find appropriate solutions to the problems of actively offered service and the attitude of some employees toward passengers wishing to be served in French. It also has some way to go before Francophone employees, even those in Quebec, are at all times able to work in French. The language practices of companies with which Air Canada has close business ties demand immediate attention because of their impact on French-speaking minorities outside Quebec. Lastly, recent changes to the management of Air Canada's official languages program should produce improvements in its overall language performance.

Even though Air Canada has a large complement of bilingual ground staff at various points of service, it will have to be increased or better distributed if adequate bilingual service is to be guaranteed throughout the system. For example, at Saskatoon airport none of the 20 employees is bilingual and at those in Saint John and Charlottetown only one. These situations require that the necessary corrective steps be taken as soon as possible. However, there was considerable improvement in 1987 at the Timmins airport, which for many years offered no service in French; two of the eight agents are now bilingual.

Telephone reservation services are generally well equipped with bilingual staff. However, this is not the case for a number of city sales offices outside the province of Quebec. None of the city sales office employees in Saskatoon and Sydney is bilingual.

Air Canada is trying to increase its bilingual capability progressively through language training and recruitment. However, since the effects of this policy will only be felt over the medium or long term, it is essential that present bilingual staff be used to the maximum. Given the number of bilingual agents employed by Air Canada, it is difficult to understand why airport announcements are not always made in both languages. Air Canada should also ensure that bilingual agents providing person-to-person service are properly deployed, and should clearly identify the points of service where they are located. At Toronto airport, despite an increasingly large number of bilingual employees (185 of 600), these organizational issues continue to pose problems; however, local management has committed itself to taking corrective measures. The Corporation has also made efforts to improve the situation at Winnipeg airport. It has adopted additional monitoring measures, particularly with respect to the deployment of bilingual personnel, and has established an awareness program for employees.

There was no significant change in Air Canada's bilingual services at foreign locations. In the United States and Europe, the situation is fully acceptable, but there are still too few bilingual staff at some points of service in the South, particularly in the Bahamas and Jamaica, and in Bombay and Singapore.

In-flight service is provided by over 3,500 employees, 60.4% of whom are bilingual. Since only candidates who are already bilingual can be hired for flight attendant positions, the bilingual capability of this group is increasing. Unfortunately, this is not yet sufficient to ensure respect for the language preference of all travellers. Although Air Canada generally meets the minimum bilingual capability standards set for each flight, flight attendants do not always follow language-of-service procedures. For instance, outside Quebec, greetings at the aircraft door are often in English only, and a number of unilingual attendants fail to call a bilingual colleague when a traveller needs service in French. Despite the fact that the Corporation made an effort this year to increase the receptivity of in-flight personnel to language-of-service requirements, some unilingual attendants treated passengers in a very disagreeable manner when service was requested in French. The Corporation should take a more strict approach in such instances.

According to Air Canada's own surveys, regular in-flight announcements are made in both languages almost 100% of the time. However, there is still a problem with the language of announcements made in emergency situations. Air Canada and the Department of Transport should seriously examine this issue.

The language of correspondence between Air Canada and its customers poses no particular problem. The same cannot be said for its advertising billboards in Montreal, which are still in French only. In addition, the Corporation still makes too infrequent use of the minority press when one considers the quantity of announcements published in majority language dailies. However, Air Canada seems willing to correct this imbalance.

Lastly, still on the subject of service to the public, agreements between Air Canada and other airlines raise a major language issue. These airlines, whose operations are closely linked to those of Air Canada, serve many member of the Francophone minority population — for instance in Ontario and in the Atlantic region — but are unable to provide service in French. In our view, the Corporation should play an active role in ensuring that these companies take all the measures necessary to provide bilingual service.

On the language-of-work front, central and personnel services continued to improve. This year, in-flight attendants in particular will benefit from the increase of bilingualism in these services.

It is Air Canada's policy that in day-to-day activities, English and French should be the normal languages of work at Montreal headquarters, at the Flight Operations and Maintenance bases in Dorval and in the Ottawa-Hull and Moncton districts. French should be the normal language of work at various points of service in Quebec and at the Dorval/Mirabel In-Flight Service base.

The most recent data indicate, however, that serious difficulties persist in Quebec in the technical area, for example Maintenance (mechanics) and Flight Operations

(pilots). French-speaking employees are still not guaranteed supervision in French. Air Canada should therefore monitor more closely the staffing of supervisory positions, whose language requirements are now clearly identified. Naturally enough, the predominance of English in the field of aeronautics has created linguistic habits that impede the growth of French in such sectors. However, by taking the necessary steps, Air Canada could effect real progress. For instance, it could increase the particularly low proportion of Francophone employees in the Flight Operations Branch. In 1986, only 33% of pilots based in Quebec were French-speaking and this percentage fell to only 14% for Canada as a whole. Similarly, only 19.1% of managers were Francophone. Of Air Canada's 21,493 employees, 4,711 are Francophone (21.9%).

Management of the official languages program is highly decentralized and Air Canada relies primarily on operational managers for its implementation. However, the monitoring of their performance by senior management is still inadequate. Fortunately, significant improvements were in the works at year's end. A decision was taken to increase the number of staff in the Official Languages Branch, which has easy access to senior management, and new control mechanisms were being established. Lastly, the Corporation has developed an information and awareness program designed to better prepare operational managers for their linguistic responsibilities. Better informed staff and more frequent controls are promising signs for the future.

Of the 174 complaints received against Air Canada in 1987, 154 referred to service to the public. In-flight services accounted for 38, ground service 89, and 27 related to the services of airlines associated with Air Canada. A further five dealt with language-of-work issues, and 15 or so were about signage. We also received many communications about Air Canada's failure to place advertising in the minority press, a long-standing matter which finally appears close to resolution.

Auditor General

The Office of the Auditor General scored linguistic points in 1987. It adopted a detailed official languages plan and committed itself to taking steps to improve services to its client departments. However, French is still not widely used as a language of work because too many supervisors are unilingual. Participation of the two language groups is quite well balanced despite certain sectoral weaknesses.

The Office took account of our recommendations on the active offer of bilingual services to managers during audits. It expects to designate three or four teams to provide this service on a trial basis. In the Atlantic provinces, the Office will determine which audits require bilingual staff. They will be conducted jointly by the Halifax and Montreal offices. It also agreed to translate a preliminary audit report on a trial basis to determine whether this should be done on a wider scale.

The Office increased the number of its bilingual positions and upgraded the language requirements of many of them. As a result, 433 of 613 positions (70.6% compared to 60% in 1986) now require knowledge of both languages. The proportion of linguistically qualified incumbents fell from 93% to 80%, but a number of employees who do not meet the requirements are currently taking language courses.

The Office made progress this year in language of work: 41 of 47 professional training courses were offered in both languages, and the Office raised the level of second-language proficiency required of roughly 15 Management positions from intermediate to superior. To promote a greater use of French, it continued the practice of "units working in French" and now ensures that communications with them are in that language. It also organized training for units working in English to help auditors in such units to improve their knowledge of French. Most manuals and software, as well as circulars issued by Management, exist in both languages, the exception being Computer Audit's internal manual, which the Office plans to have translated in 1988. The language aspect of supervision has scarcely changed: 30% of supervisors do not meet the language requirements of their positions; however, some of them are taking language training. In the Audit Division, 34 of 162 supervisory positions still require English only. It is therefore not surprising that French is only slowly coming into use as a language of work outside units operating in that language. In some instances, the Montreal office even receives audit mandates from headquarters in English. Nothing has been done to solve this problem.

The overall participation of both language groups remained at the same levels as last year: Anglophones, who are slightly under-represented, account for two-thirds of the Office's 613 employees. Despite a slight increase over last year (18.2% compared to 17%), Francophones continue to be under-represented in the Management category. The Office has agreed to maintain the proportion of Francophones at no less than 30% in the various audit groups from which candidates are recruited for Management positions. Anglophones are under-represented in the Technical and Administrative Support categories (48.3% of positions). The Office intends to monitor the situation closely.

The Office will now be able to manage its official languages program more effectively through a well-structured action plan which provides for submission of a semi-annual report to the management committee. The Office also expects to evaluate managers performances against language objectives.

We received no complaints against the Office in 1987.

Bank of Canada*

In 1987 the Bank of Canada continued its efforts to improve its institutional bilingualism. Our recent audit indicates that even if the Bank does not always actively offer bilingual service, particularly in the regions, it is nonetheless able

to serve its customers in both languages. French is increasingly used as a language of work in a number of its departments. However, despite a dynamic language training program, the Bank has been unable to increase its complement of bilingual supervisors above last year's figure of 54%. Lastly, Anglophones remain under-represented in the Operational and Administrative Support category.

With 1,086 bilingual employees, representing 46% of staff, the Bank generally provides good service in English and French in Ottawa and at its regional agencies, where bilingual capability varies from 84 employees (61%) in Montreal to one (3%) in Regina. However, only three of the five directors of agencies in bilingual regions have a mastery of both languages. Given the public contacts they have as representatives of the Bank of Canada, language training for the other two directors should be a matter of priority.

Most publications are available in both languages. However, technical reports for specialized clientele are published in the language in which they are drafted (English in 95% of cases), together with a summary in the other language. A better balance would be desirable. The Bank should encourage Francophones to write reports in French and translate those intended for more widespread distribution. Signage and telephone reception service are bilingual across the country.

The Bank of Canada continues to promote a more equitable use of both languages in the work place, in particular through bilingual computerized systems which it has introduced nationally. The Bank remains a leader in this regard. Communications between Ottawa and Francophone employees in the regions are generally in English, although the Montreal agency is increasingly using French. At headquarters, use of the two languages varies greatly from department to department. Although French has secured a place in the research and analysis departments, this is not the case in the Comptroller's Department, Premises Management, Automation Services and Audit, where the percentage of bilingual supervisors varies between 16% and 42%. Owing to their weak bilingual capacity, these four departments are unable to hold meetings or provide internal services in both languages. Although sound, the language training program cannot alone correct these imbalances. If the Bank wishes to improve this situation, it must consider other measures, such as staffing a larger number of positions with already bilingual candidates.

The Bank has 1,570 Anglophone (66.2%) and 800 Francophone (33.8%) employees. Francophones make up 38% of the 1,705 employees in the Operational and Administrative Support category, a fact that explains their high overall representation. There is a more satisfactory balance in the other categories, where Francophone participation rates vary between 22% and 25%. Although Anglophones are fairly represented in Quebec (12%), Francophones are less so in New Brunswick (11%), where 33% of the population is French speaking.

The official languages program, of which the main components are language training and promotion of French as a language of work, receives sustained support from senior management. We nevertheless recommend that control and audit mechanisms be introduced to enable the Bank to apply its language policy more effectively. In addition, program management would be greatly improved if it could be evaluated on the basis of specific commitments by the managers of each department.

The Bank quickly settled the three complaints we received in 1987. Two concerned telephone reception in Ottawa and the third referred to directions in English only at the same location.

Canada Council

Generally speaking, the Canada Council's official languages situation remained virtually unchanged in 1987, although some progress was made in program management. As in the past, the Council appears able to provide its services to the public in the appropriate language. However, Anglophone participation is still inadequate.

Although 228 of the Council's 234 employees occupy bilingual positions, it is difficult to determine their actual capacity to serve the public in both languages since the second-language skills of incumbents have not been evaluated. The Council nevertheless began to correct this situation in late 1987. Signage and telephone reception service are bilingual, and publications intended for the general public are usually available in both languages. Unlike last year, documentation on the *Debut Atlantic* program, which is partly subsidized by the Council's Touring Office, was this year distributed simultaneously in both languages.

Central, financial and personnel services are also provided in English and French. In the spring, the Council reminded managers of its policy requiring all work documents to be available in both languages. Nevertheless, French has not yet secured proper status as a language of work. Managers and employees feel obliged to draft preliminary notes in English for the Council's 21-member Board, 14 of whom are unilingual Anglophones. Management should encourage Francophones to work in their language and give them the resources to do so, in particular a rapid translation service. Francophone employees are not always supervised in their language because some Anglophone managers are unilingual or have only a rudimentary knowledge of French. In response to a complaint we brought to its attention, the Council provided language training for one such manager, but it remains to be seen whether it will do the same for the others.

The overall Anglophone participation rate declined from 40% in 1986 to 39%, a figure that is still too low. This imbalance is particularly acute in administrative support (14 out of 100 employees) and administrative services (55 of 99).

The Council did improve its management of the official languages program in 1987. It followed up on our 1983 recommendation by reviewing its outdated

official languages policy. It also defined program implementation procedures and assigned levels of language proficiency to its bilingual positions. It must now ensure that incumbents fully meet these requirements and that its policy and procedures are respected.

We received three complaints against the Council in 1987. One concerned the appointment of a unilingual manager; another a public debate held by the Art Bank in English only; and a third, which is still under review, the minority-language press.

Canada Mortgage and Housing Corporation

The Canada Mortgage and Housing Corporation maintained a respectable standard of service to the public in 1987 and is working diligently to correct remaining shortcomings. However, it is not yet within striking distance of achieving its language-of-work objectives, and the full participation of both language groups is still some way off, especially in Quebec and in the West.

CMHC is committed to ensuring that telephone and one-on-one services are actively offered to the public at all offices in bilingual regions. To this end, intensive training is being given to receptionists, meetings are being held with the minority associations and the availability of bilingual service is being advertised in minority language media. The number of employees failing to meet the requirements of their positions, a major concern in 1986, fell significantly in 1987 (from 326 to 275), while a greater number of bilingual positions (121 to 130) now call for upgraded language skills.

The devolution of social housing programs to provincial jurisdiction has been accomplished with little negative impact on service, although toward year's end concern was expressed that some of CMHC's provincial counterpart agencies neglected to publicize joint projects in the minority official language. This issue is currently under investigation by the Corporation.

Although CMHC's policy spells out equality of status for English and French as languages of work, in practice French has yet to gain a secure foothold. Too many supervisors and managers still lack the ability or willingness to supervise employees in the appropriate language, and too few supervisory positions are designated as requiring superior second-language skills. Certain senior positions designated as "bilingual imperative" were filled in 1987 by linguistically unqualified personnel. As a result, Francophones continue to receive instructions in English and to have their performance appraisals completed in that language. While French can, in theory, be used at meetings, such use is minimal except in the Management Committee, where an exemplary standard of bilingualism is maintained.

In the report of our 1986 audit we called for clarification of the linguistic obligations of supervisors and for greater managerial accountability. CMHC has

accepted these recommendations and will be evaluating its managers more stringently on these matters in 1988.

Francophone participation at the Executive level is now slightly high at 31.4% but remains low at the Senior level (20%). At the Junior level, Anglophones now account for 66% of employees. The regional imbalances noted last year remain virtually unchanged: Anglophones are still seriously under-represented in Quebec (2.5%); west of Ontario, Francophones account for a mere 1.5% of employees.

Improvements in the management of the Corporation's language program include increased co-operation between the internal audit and official languages group and greater emphasis at all management levels on integrating official languages with operational planning. The Corporation is to be congratulated on its plan for implementing our audit recommendations; it contains specific activities, responsibilities and target dates which, taken together, augur well for 1988. CMHC also distributed a bulletin to all employees to remind them of their language responsibilities and to highlight the weaknesses identified during our audit and the changes the Corporation will be making to correct them.

We investigated 15 complaints against CMHC in 1987, two fewer than in 1986. Ontario and Quebec were the origin of four complaints each, three came from Alberta and one each from Nova Scotia, New Brunswick, Manitoba and Saskatchewan. All concerned flaws in service to the public, with seven stemming from failure by CMHC's provincial counterpart agencies to advertise joint projects in the provincial minority language. At year's end this issue had still not been resolved.

Canada Post Corporation

Canada Post Corporation's new official languages program, made public in March 1987, identified 62 activities to be undertaken in 1987-88. Unfortunately, by the end of the calendar year there had been little progress and it became increasingly evident that few benefits will accrue to the general public until a collective agreement can be negotiated with the Canadian Union of Postal Workers (CUPW) that puts ability to communicate in the appropriate language ahead of employee seniority. Language-of-work issues received only minimal attention until late in the year and, from the sparse data provided, there seems to have been little significant change in participation patterns.

Since 1982 every one of our Annual Reports has made reference to the collective agreement between Canada Post and CUPW. In 1982 we noted that management considered itself bound by the agreement and could therefore not require candidates for bilingual positions to meet the language requirements upon appointment. In 1983 we said that until the Corporation found the will to tackle this long-standing problem, even the best-laid plans for improving minority language service would stay on the drawing-board. In 1984 we referred favourably to the Corporation's new and ambitious action plan, but lamented the fact that several projects were

hampered by the collective agreement. In 1985 we were pleased to note that an agreement had been reached with CUPW regarding staffing of bilingual wicket-clerk positions, even though seniority rights continued to complicate the issue. (In fact, the 1985 agreement did very little to change the situation; seniority rights still took precedence, but unilingual employees moving into bilingual positions were required to become bilingual and were entitled to take up to six months of language training.) Last year we suggested that only with a stronger emphasis on language considerations during union negotiations could Canada Post gain better control over the work scheduling and redeployment of bilingual staff. Even to the most optimistic eye it is evident that, in five years, progress on this front has been minimal.

The effects of this state of affairs are not hard to find. The saga of Dieppe, New Brunswick, chronicled in Part II, is a tale of a community which, despite a 71% French-speaking population, has never been assured of bilingual service. In 1987, in Ontario, a post office that for years had been able to provide bilingual service lost that capacity entirely in a matter of weeks. This "here today, gone tomorrow" effect occurred in Kingston, where bilingual service was introduced in 1984 and was provided with no apparent difficulty until the fall of 1987. At that time both bilingual counter clerks decided to "bid out", a procedure under the collective agreement whereby employees can exercise their seniority rights to move up to more desirable posts. Unfortunately, their replacements are both unilingual and even though the 1985 agreement provides for language training in these circumstances, the earliest forecast date for the restoration of French service is May 1988.

In Vanier, Ontario, where the population is almost evenly divided between Anglophones and Francophones, it was only after we had made a formal recommendation that action was taken to remind unilingual counter staff to ask a bilingual colleague for assistance when faced with a request for service in French. Similar problems have been reported by Canada Post customers in every province and in the Yukon.

The Corporation's problems are compounded by the fact that only 7% (4,692) of all employees are in bilingual positions. Moreover, second-language requirements for counter positions are still at the lowest level, which barely enables employees to carry out even the most basic transaction in the appropriate language. In December 1987, 956 occupants of bilingual positions (20%) still did not meet the requirements. Many of these are at head office, where an unbelievable 41.4% of occupants of bilingual positions are not linguistically qualified. In the Rideau division, which includes post offices throughout eastern and northern Ontario, one out of every six occupants of bilingual positions does not meet the requirements (16.7%); in the York division, made up of Toronto and immediate surroundings, a paltry 20 out of 12,960 positions are bilingual and nine of their occupants do not meet the requirements.

Two other formal recommendations met with mixed results in 1987. Significant improvements were made in identifying wickets where customers might expect to obtain bilingual service. However, a recommendation on the language requirements for rural, one-person post offices is still awaiting a meaningful response, despite the fact that complaints on this issue have been received from communities in New Brunswick, Ontario and Manitoba.

The brave new world of postal franchises has its own problems. We have been assured that franchises serving bilingual localities will be bound by a clause requiring bilingual capacity at all times. However, we are concerned about how Canada Post will monitor compliance when some 500 projected franchises have been awarded. Of six franchises now in operation, only one is located in a bilingual locality. Opening its doors in downtown Ottawa in December 1987, one of its first tasks was to overprint Canada Post standard delivery notices for parcels and registered mail with its own address and hours of operations. This it did. . . in English only. In view of Canada Post's firm commitment to the franchise formula, it is to be hoped that this is not a sign of things to come. We will monitor the franchise situation closely in the months ahead.

In a move likely to increase the efficiency and safety of its employees, Canada Post has replaced some 1,100 unilingual signs in major sorting plants. The language-of-work situation was further improved when the number of bilingual employees engaged in providing central and personnel services rose during the year from 867 to 987. As a result, these services are generally available to employees in the language of their choice. At the end of October 1987, a firmly worded directive required senior managers, at headquarters and in all regions, to accept responsibility for creating and maintaining an environment where, to the greatest extent possible, employees could work in their own language. It is, of course, too soon to know whether this directive will have the desired effect.

The Corporation's own figures show that far too few of its supervisors are adequately bilingual (964 out of 1,192 or 80.9% meet the requirements of bilingual positions). Employees are frequently unable to obtain performance appraisals in their own language, meetings are almost always in English, and written work all too often has to be prepared in the supervisor's language, not the employee's.

Although work instruments are usually available either in bilingual format or in separate English and French versions, we received complaints that certain work documents regularly transmitted from Toronto were being distributed in Quebec in English only, even to personnel in French-essential positions. These complaints are currently under investigation but it appears that the onus was upon the Quebec division to have the items translated prior to distribution.

There has been virtually no change in the overall participation ratio, which stands at a quite satisfactory 74% Anglophone, 26% Francophone. As noted in the past, however, Canada Post's personnel data base does not lend itself easily to providing accurate, up-to-date information on this matter. It would seem that proportions

in each region remained much the same, with Anglophone participation in Quebec well below an acceptable level at 2.5%, and Francophone participation in the three western divisions at under 1%, significantly less than the proportion of Francophones in the general population. Only in the Atlantic region, where Francophone participation rose very slightly to 5.2%, was there any sign of movement toward correcting Canada Post's long-standing participation imbalances. The Corporation must give priority to generating and recording accurate, comprehensive and accessible data to help management formulate an action plan to address this issue.

We and Canada Post's own auditors have been unanimous in calling for the integration of official languages objectives with operational planning. Some progress was made in 1987 and the process was expected to be completed by year's end. A step forward was taken with the establishment of an Official Languages Steering Committee, headed by the Chairman of the Board, which now requires senior managers to report quarterly on all aspects of the program.

Canada Post's inability to deploy bilingual employees at key points of service is clearly reflected in the soaring volume of complaints received by this Office. We received 237 in 1987, of which 205 were retained for investigation. In 1986 the total number of complaints was 128, in itself an increase of 56% from the previous year. Of the 205 investigated, 187 concerned service to the public, 95 involving counter service, 28 telephone service and 26 signage. In 1987 the Corporation assigned one officer full time to the job of handling official language complaints and by December they were being resolved much more promptly. In cases where action is limited by collective agreements, however, complainants will see no change until bilingual service takes precedence over seniority rights.

Canadian Broadcasting Corporation

The Canadian Broadcasting Corporation has had to accept budget cuts every year since 1984. In spite of this, it has continued to provide high quality radio and television service in both official languages. This is not to say that the cuts have gone unnoticed. Some local programs have been practically eliminated and we have received complaints in this regard from members of minority groups. In Quebec City, for example, the Anglophone community is obliged to settle for news programs emanating mainly from the Montreal region. This kind of cutback is especially regrettable in view of CBC's role as a cultural mainstay of minority official language communities across Canada. The Corporation's Accelerated Coverage Plan is also in trouble. Originally intended to provide, on a priority basis, for the installation of new technical facilities in locations lacking adequate coverage, the plan has pretty well been shelved because of inadequate funding.

The CBC has not been able to provide data on bilingual positions or the language skills of their incumbents. However, with its distinct English and French networks, the Corporation generally has little difficulty providing services in both languages,

although occasional lapses occur in such areas as telephone reception, publications and signs.

The language-of-work situation in the CBC is relatively healthy. At headquarters in Ottawa and at the Montreal-based Engineering Division, both languages are used regularly at meetings and in other everyday work situations. Memoranda addressed to employees are bilingual, and employees are generally supervised and appraised in their preferred official language.

Elsewhere, the CBC's "host-guest" concept comes into play: in Montreal and Quebec City, for example, the French network plays host to the English network by providing technical, personnel and central services to English-speaking staff members. Similar services are provided by the English network to Francophones working in Halifax, Toronto, Windsor, Sudbury, Winnipeg, Regina, Edmonton and Vancouver. By and large, the two networks do a good job in this respect, but problems remain in Toronto, Regina, Edmonton and Vancouver, where the services cannot be provided in French at all times because of a lack of bilingual staff.

Anglophones account for 59% of the Corporation's 11,213 employees, while Francophones make up 41%. This proportion has remained constant despite staff reductions. Of the employees of the English network, 98% are English-speaking, and a similar percentage of French network employees is Francophone. In light of the CBC's mandate, the two language groups are more or less equitably represented at headquarters (64.1% Anglophone and 35.9% Francophone), but English-speakers account for a rather high 67.6% of the 704 employees working in the Engineering Division. In our view, measures should be taken, over time, to correct this imbalance.

The CBC was able to provide data concerning the language characteristics of its managers this year. Francophones make up 31.7% of the managers in the Engineering Division (69 of 218). Given that approximately half of the Division's employees are located in Montreal, this proportion is quite low. In the Corporation's other major sectors, including headquarters, the two groups are equitably represented in the Management category.

Significant changes have occurred with respect to administration of the CBC's official languages program. The Branch that was once responsible had a full-time staff of four, but it was abolished two years ago and its functions were transferred to the Human Resources Planning and Development Division. The present official languages co-ordinator is also responsible for staffing and careers. The three employees who report to her work only part of the time on the official languages program. Given the size of the CBC's staff and the complexity of its mandate, we have serious doubts about the adequacy of this arrangement.

We received nine complaints against the Corporation in 1987, one of which concerned the availability of professional training in the appropriate language. The

rest were about language-of-service matters such as telephone communications, signs, publications and some documents. Only four of the nine have been resolved so far.

Canadian Commercial Corporation*

The Canadian Commercial Corporation has undergone a number of changes since 1984, when it was audited and mentioned in our Annual Report. The Corporation's staff grew from about 20 employees to nearly 120 following the June 1986 integration of the Export Supply Branch, which had previously been part of the Department of Supply and Services. It was subsequently forced to accept staff cuts and now has only 106 employees. Our recent follow-up revealed that, in linguistic terms, the Corporation continues to mark time.

The Corporation's mandate is to act as an intermediary for sales by Canadian suppliers to foreign governments and international agencies. In that role, it reacts to demand for services in French but does not provide them spontaneously; we believe it should actively offer services in English and French to Canadian businesses and their clientele. Despite weaknesses with respect to project officers and support staff in some sectors, the Corporation has an appropriate number of bilingual employees (43 of 106, or 40.6%). What is lacking is information to staff about the importance of bilingual service. Nevertheless, its reception services, signage, publications, invoices and telephone listings are bilingual.

The type of contacts in which the Corporation is involved, 80% of which are with United States government agencies, influence the language of work. We nevertheless believe the Corporation should, where possible, change the assignment of staff to make it easier for employees to work in their preferred official language. This criterion already determines to some extent the manner in which duties are assigned, but only temporarily. We also found that supervisors had insufficient knowledge of the language rights and obligations of employees. In addition, almost all meetings are held in English, and computers operate and produce print-outs in that language only. The Corporation's main reference manuals exist in both languages, but in separate volumes. As a result, some employees are unaware that the French version exists. Central services are provided in English and only a few personnel services are offered in both languages.

The Corporation's staff is 73.6% Anglophone and 26.4% Francophone. These are acceptable proportions for the Corporation as a whole, but the manner in which the two groups are distributed throughout the organization is clearly important as well. In that respect, there is still low Francophone representation in the program administration sector (6 of 42 employees, or 14.3%).

We found the most striking weaknesses in official languages program controls. Since language tests will be reintroduced only in April 1988, the Corporation

has no reliable data on the proficiency of incumbents of bilingual positions, and there is no official mechanism for recording the language preferences of employees. In response to tabling of the new Official Languages Bill, the Corporation developed a plan to inform staff about institutional linguistic obligations and to make its clients and suppliers aware of its bilingual services. We encourage the Corporation to pursue these two projects and to revise its language policy to reflect the organizational changes it has undergone.

No complaints were filed against the Corporation in 1987. The only complaint in the two previous years concerned unilingual English reception on one of its internal telephone lines.

Canadian National

This year witnessed two major events at Canadian National: its passenger train engineers and brakemen joined Via Rail, and the Company completed an official languages survey of its employees. Even if, generally speaking, CN achieved its language objectives, its official languages program still contains the same weaknesses we have criticized on many occasions. On the language-of-work front, for instance, it has still not amended certain policies and practices that contravene the letter and spirit of the Constitution and the Official Languages Act. It does not allow employees to work in French in all units in New Brunswick and the National Capital Region: French is generally authorized only for communications about employees' personal matters.

Businesses and members of the general public, including the official language minorities, can expect to receive correspondence and documents from CN in their preferred language. However, only in bilingual regions can customers be sure of encountering CN employees able to speak French. Elsewhere, Francophone customers must be patient and on occasion wait for quite some time before a bilingual employee arrives. However, the CN Tower and CN hotels, with the exception of the Hotel Newfoundland, continue to improve their bilingual service.

The Company met its linguistic responsibilities with respect to work documents, computerized systems, training programs and central and personnel services. At Montreal headquarters, however, French is still not widely used for drafting documents, in meetings, supervision and performance appraisals. In New Brunswick and the National Capital Region, French is generally to be used only for communications directly affecting the personal situation of employees (competitions, promotions, pay, social benefits, etc.). Since this not only runs counter to federal language-of-work policy in bilingual regions, and the Act, CN is duty-bound to correct this unacceptable and long-standing practice as quickly as possible.

In 1987 CN once again gathered only partial data on the distribution of its Anglophone and Francophone staff. Headquarters and the St. Lawrence Region were the only sectors surveyed. At headquarters, Francophone participation

declined by one and one-half percentage points to 30.6%; Francophones occupied 27% (41 of 152) of the headquarters positions found among the top 300 in the Company, a slight increase over last year. However, despite a 1.4% increase, the number of Francophone senior managers is still too low (21%). Lastly, Anglophone representation fell by 2.2% in the St. Lawrence Region to a still acceptable 18%.

We received 24 complaints against CN in 1987, compared to 22 in 1986. The Hotel Beauséjour was the subject of 10 complaints, five of which concerned a lack of service in French at the newsstand. Four complaints were against other hotels and another against the CN Tower. Two dealt with services provided by the CN office in Moncton (Legal Services and Public Affairs). Given the complexity of its organization, CN's co-operation in handling complaints was acceptable, and an improvement over last year. There were nevertheless undue delays in settling some issues. The two-year-old problem of unilingual addresses on the stationery of CN hotels and the CN Tower has still not been solved.

Canadian Radio-Television and Telecommunications Commission

The Canadian Radio-Television and Telecommunications Commission has established excellent credentials by consistently serving its large clientele in both official languages and by providing top quality service to the minorities. However, French is used only marginally as a language of work, and management of its official languages program could be improved. Participation imbalances persist in four of the five employment categories.

The CRTC generally serves members of the public in their preferred language by telephone, in person and in writing. Each year it produces more than 2,000 documents simultaneously in both languages and answers more than 14,000 telephone requests for information at headquarters. It conducts its public hearings in both languages in bilingual regions and makes interpretation services available for that purpose. The four regional offices have acceptable bilingual capacity, but telephone reception services are not always provided in both languages.

Even if Francophones are able to work in their language in certain sectors, French does not have appropriate status throughout the Commission. Twenty-three of 75 supervisors have an inadequate knowledge of French. As a general rule, meetings of various committees are held in English, and documents used in such meetings are drafted in that language. Last fall, however, the CRTC began to translate the minutes of some committee meetings.

Anglophone participation at the Commission is clearly inadequate. Anglophones represent 49.3% of total staff (197 of 400) and 29.1% of employees in Administrative Support (37 of 127). Anglophone participation remains unacceptable in the Administrative and Foreign Service category, even though it improved from 50.5% in 1986 to 52.5% (106 of 202) this year. Francophones

are equitably represented in Management (10 of 31 positions), but there are only six Francophones among 33 employees in the Scientific and Professional category.

Management of the official languages program remains unchanged and progress is clearly needed. Written instructions are rare, managers do not always have short-term or long-term official languages objectives and there are no control mechanisms.

We received one complaint against the CRTC in 1987, compared to five last year. It concerned the minority language press.

Canadian Security Intelligence Service

The linguistic situation in the Canadian Security Intelligence Service hit the headlines in 1987. Its difficulty resolving certain persistent problems, particularly communications with the Quebec region, came to light during two appearances before the Joint Committee on Official Languages and in a report of the Security Intelligence Review Committee.

However, the Service appears to be gradually taking these matters in hand. Among other developments, it adopted a precise action plan last summer which should enable it to correct most of the weaknesses identified in our 1986 audit, and took firm steps to settle the issue of communications with Quebec. Its many unresolved problems include ensuring that security checks of public servants are conducted in the appropriate language and that a greater role is given to French and to Francophones at headquarters.

The Service followed up on our recommendation to add the Moncton and Winnipeg offices to those required to provide services in both languages. The Toronto and Winnipeg offices now have three bilingual positions each, and one-third of all employees in the Atlantic region are bilingual. West of Winnipeg, however, the bilingual capacity of its offices is virtually nil, and requests for service in French have to be forwarded to Winnipeg.

The Service reviewed the language requirements of all its positions and checked the proficiency of incumbents: 42% of its positions are bilingual, but almost one-quarter of these are occupied by linguistically unqualified employees. By 1991, the Service plans to make 50% of its positions bilingual and ensure that 90% of incumbents meet the necessary standards. In an effort to meet this objective, it is placing great importance on language training and, at year's end, some 220 employees were enrolled in such courses.

The issue of public servant security checks, particularly in the Ottawa area, is not yet fully resolved. Directives have been issued to ensure that the language rights of public servants are respected, but only one-third of the investigators are bilingual. Furthermore, these positions require only the intermediate level of second-language proficiency which, in our view, is inadequate for this delicate task. The Service is currently examining our recommendation that the number

of bilingual investigators be significantly increased and that their second-language proficiency should be at the superior level. It is also reviewing the language requirements of its positions abroad, an issue that received critical comment at its appearances before the Joint Committee.

On the language-of-work front, the Service appears to have settled the thorny question of unilingual English telexes sent by headquarters to the Quebec region, the subject of numerous complaints over the past three years. It carefully examined all the complaints, called for explanations when government policy had not been followed, and established rigorous control measures. Henceforth, any infraction will automatically be brought to the attention of those responsible by a code attached to computer screens. The measures appear to have been effective because we have received no complaints on this matter since early summer. In addition, toward year's end, the Service put the final touches to a policy covering all aspects of internal communications.

There have also been improvements in the provision of internal services in French. The labour relations sector can now function in both languages and the evaluation and consultation group has two bilingual psychologists, one Anglophone and one Francophone. The Service has also agreed to provide all professional training in both languages as of 1988. In this regard, it has decided to transfer its training school to Ottawa, a move that will enable it to offer basic training in English and French as of the spring of 1988.

The Service must nevertheless overcome a number of obstacles if it is to give French appropriate status, particularly at headquarters. The vast majority of management positions at headquarters are now bilingual (87%), but almost 40% of their incumbents do not meet the requirements.

Only limited use is made of French for drafting documents, at meetings and in discussions between supervisors and their Francophone subordinates. The Service plans to raise to the superior level the language requirements of most senior management positions at headquarters and in other bilingual regions. As of 1990, it will also require candidates for management positions to meet the necessary language requirements upon appointment. While these measures are certainly laudable, the Service must immediately improve the bilingual capacity of management if it is to encourage an increased use of French. Only eight senior managers at headquarters, and none at the Ottawa regional office, took language training in 1987.

The Service now has precise data on the linguistic composition of its staff. The overall figures for both groups are satisfactory (72% Anglophone and 28% Francophone). Francophone representation is also quite well balanced in the senior manager (23%) and main officer groups (25%), but is weak at headquarters (only 15% overall). In the regions, Anglophones are over-represented in Quebec (30%), and Francophones under-represented at the Ottawa regional office (19%).

The Service has improved somewhat the management of its official languages program. The Management committee addressed this issue regularly throughout the year, particularly when the Service appeared before the Joint Committee. As noted, it adopted an action plan with precise objectives for all aspects of the program. It also set goals for each administrative unit, but these are not yet integrated with operational plans and do not form part of managers performance appraisals. At year's end, the Service began to examine the situation at the Ottawa regional office, where corrective measures in several areas are long overdue.

We received 458 complaints against the Service in 1987, 455 of which dealt with English telexes sent to the Quebec region. Our investigation revealed that 60 of these complaints were founded because the telexes in question came from headquarters, whereas the others came from the Ottawa regional office. Government policy states that the language of communications between bilingual regions may be determined by the office initiating the communication. Of the approximately 1,700 unilingual telexes mentioned last year, 759 were valid cause for complaint.

Communications

After experiencing some difficulties with its language program in 1986, mainly as a result of an extensive re-organization, the Department of Communications is coming into its own again. It has adopted a number of measures to improve performance in service to the public, language of work and equitable participation, but many have yet to bear fruit.

The Department has no real difficulty providing service in both languages to its clients. Regional offices have established close relations with minority language groups in connection with departmental responsibilities for arts and culture. With minor exceptions, the Government Telecommunications Agency, which is part of the Department, has placed bilingual government listings in the blue pages of municipal telephone books, and people seeking amateur radio licences can deal with the Department in the language of their choice. Despite all efforts, however, there still remains the problem of active offer of service in both languages over the telephone.

In the language-of-work area, the Department, like many others with a scientific and technical mandate, has established various mechanisms to encourage the use of French, but with limited success. In some cases the mechanisms themselves point to a systemic problem. For instance, the Department has an agreement with the Translation Operations Branch of the Department of the Secretary of State regarding the translation of annual performance appraisals. The fact that such an arrangement is necessary can only mean that a significant number of theoretically bilingual supervisors are not yet comfortable using their second language in this quite basic supervisory function.

The language-of-work issue is also exacerbated by participation imbalances. While overall Francophone participation is high (33.3% of 2,239 employees), this is largely accounted for by a very high rate in the Administration and Foreign Service and Administrative Support categories — 40.6% of 561 employees and 44.9% of 626 respectively. In the Scientific and Professional and Technical categories — the key areas of the Department — the figures are 21.6% of 338 and 22.4% of 557. However, Francophones account for a healthy 26.9% of the 93 employees in the Management category, even if there is only one Francophone among the top eight executives. Anglophone participation in Quebec dropped even further in 1987 to an abysmal 2% (3 of 150).

Departmental managers are responsible for planning and implementing the official languages program. The Official Languages and Internal Audit divisions co-operate on a number of program monitoring measures, and one of their discoveries was that some managers made no reference to official languages criteria in their annual appraisals. These weaknesses will be corrected.

The Department was the subject of eight complaints about language of service in 1987. Half of them involved the Government Telecommunications Agency and dealt with the quality of French entries in telephone directories. The others concerned a press release in an information kit, a brochure, a radio operator licence and a licence renewal. The Official Languages Division dealt quickly and effectively with all.

Comptroller General

The Office of the Comptroller General strengthened its bilingual capabilities this year but made little headway in encouraging the use of French as a language of work or in increasing the number of Francophone managers. In response to our repeated suggestion, the Office raised the language requirements of a number of its bilingual positions to the superior level. Although well able to provide service to its clients in either language, the Office does not always actively offer a choice, and most of its work groups function in English only.

Of the Office's 145 employees, 103 are rated bilingual. This year, 50 bilingual positions were upgraded to require a superior level of second-language proficiency. The Office offers adequate bilingual service to organizations and departments where French is widely used. In other situations, for example in workshops and presentations to groups of public servants from various departments, the Office does not actively offer participants the opportunity to express themselves in French. As government's overseer of management practices, its relative passivity in providing service in French sets a bad example. On the positive side, its Program Evaluation Branch has co-operated with the Treasury Board of Quebec to develop better courses on management practices in French, an initiative expected to bear fruit next year.

French is seldom used as a language of work at the Office, and meetings are generally held in English to accommodate a few unilingual employees. The Office had little success this year with its experiment in conducting meetings in both languages. We believe French is likely to remain under-used in the work place so long as the number of Francophone employees at the management level remains low.

Francophones account for 25% of staff, but almost half of them are in the Administrative Support category. Only eight of the 61 senior managers are Francophone (13.1%), an improvement from the 8.6% last year but still far below an acceptable level. Senior managers account for almost half of all staff, and the Office has set itself the ambitious objective of increasing the proportion of Francophones in this category to 20% by October 1988. Of the six employees hired in this category during the first 10 months of 1987, only one was Francophone, a situation made even less acceptable by the fact that Francophones account for 30% of financial specialists in the National Capital Region.

Management of the Office's official languages program leaves room for improvement. In particular it should revise its policy on communications between its employees and other public servants; these should be in the language of the client's choice. It should also strengthen its monitoring mechanisms to keep a close watch on progress in language of work and participation.

We received no complaints against the Office this year.

Consumer and Corporate Affairs

The official languages situation at the Department of Consumer and Corporate Affairs remained stationary in 1987, although we detected increased management support for the program. The Department maintained a sound bilingual capability at headquarters and in the Quebec region, but elsewhere the situation was made worse by staff reductions and the phasing out of some positions in most frequent contact with the public. French does not enjoy proper status as a language of work, and progress toward achieving more equitable participation has come to a halt.

The Department's introduction of toll-free bilingual telephone service across Canada in 1986 did something to offset the loss of bilingual capacity resulting from the phasing out of the Consumer Services Branch in the regions. In 1987 this service was discontinued, with serious consequences. The more specialized services have been hardest hit, since each must now attempt to equip itself with a separate capacity to respond in both languages. Our 1986 audit recommended that the number of qualified bilingual employees in the Atlantic, Ontario and Prairie regions be increased. The gaps in service caused by withdrawing the toll-free telephone line give this recommendation added urgency.

Our language-of-work survey of headquarters revealed no significant progress since our 1981 audit. Only 38% of Francophone respondents work in their first

official language at least half the time, compared to 78% of Anglophones. This is hardly surprising considering that, in the Bureau of Competition Policy, 11 of 49 supervisors do not meet the requirements of their bilingual positions and, of the remainder, only two have achieved the superior level of second-language knowledge. Here, as elsewhere in the Department, written work is produced almost exclusively in English by Anglophones and Francophones alike. One exception is the departmental Management committee that now functions in both languages. In the regions, the language-of-work situation has worsened since 1981 and we recommended that a reference to the language of written work be added to the Department's official languages policy.

As a general rule, central and personnel services are available in the employee's preferred language at headquarters and in the Quebec region. Capacity to provide these services in other bilingual regions is weak, however, and once again we recommended that this deficiency be corrected by the managers responsible.

Some ground was lost in achieving full participation of both language groups in 1987. Overall Francophone participation is still unduly high at 37%; however, in the Management category, where Francophone representation was only 21.6%, the proportion fell to 19.4%, or only 14 of 72 senior managers. In the Bureau of Competition Policy, none of the 17 members of the Senior Management and Executive groups is French-speaking. The total number of occupied administrative support positions fell from 827 to 734 in 1987, but Anglophones still occupy only half of them. A slightly positive trend in 1986 had brought Anglophone participation in Quebec to 5.7%, but in 1987 it fell to 5%. Our audit report contains detailed recommendations on this matter.

Senior management has given solid support to the official languages program, and now managers at all levels must be held accountable for achieving objectives in order for the entire planning exercise to have a tangible impact. Internal audits do not cover language questions. We therefore recommended that appropriate criteria be developed and used in all audits after March 31, 1988.

The number of complaints received against the Department rose from four in 1986 to 12 in 1987. Nine concerned service to the public, one dealt with language of work and two related to equitable participation. As usual, the response to complaints was swift and effective.

Correctional Service*

The two appearances of the Correctional Service before the Standing Joint Committee on Official Languages revealed many problems in this institution, a major one being the provision of health services to Francophone inmates in the English-speaking provinces. Since then, even though the Service has not resolved all its difficulties, it has nevertheless made a real effort. Its regional offices and institutions have conducted a careful review of their situation and have established precise goals.

Of the Service's 10,479 positions, almost 17% are bilingual, and 92% of these (1,611) are occupied by bilingual employees. Although bilingual capability is generally satisfactory in Quebec and the Atlantic region, it is still inadequate in Western Canada, particularly in British Columbia where only 3.4% (51) of staff are bilingual while Francophones represent 7.6% of the inmate population. Except in Quebec, the most serious problems relate to medical services. For example, there is only one bilingual psychiatrist and no bilingual physician for the whole of Ontario and, at the Dorchester and Renaud penitentiaries in New Brunswick, where there are some 50 Francophone inmates, there is no bilingual physician or psychiatrist.

Nevertheless, the Service has redoubled its efforts in recent months to overcome these weaknesses, a difficult task given the rarity of some specialists outside urban centres. The Prairie and Pacific regions have managed to recruit some, and the Service has just launched an intensive recruiting campaign for bilingual nursing staff.

Another persistent problem in Ontario and the West is the weak bilingual capability of disciplinary boards dealing with inmate infractions. Given the intimidating nature of this work, additional efforts will have to be made to increase the number of chairpersons capable of hearing cases in either language.

Although the Quebec region has a good proportion of bilingual employees (24%), it must be criticized for having failed to raise the language requirements of some 175 positions which require only minimal proficiency in English. Despite our repeated suggestions, the Service has done little to make its staff more aware of their obligation to offer service spontaneously in the language of inmates. Very often inmates have to insist on receiving service in their language. Only the Prairie and Atlantic regions periodically remind their staff of these obligations.

In 1987 the Service focused mainly on services to inmates, and the language-of-work situation remained virtually unchanged. A few attempts were made in New Brunswick to promote the use of French: personnel services are provided in both languages and the Dorchester penitentiary now has a terminal linked to the Translation Bureau. With the exception of a few administrative units, French has little currency at headquarters. Despite repeated demands by ourselves and the Joint Committee, the Service has not yet seen fit to make 50 or so of the 235 supervisory positions bilingual; these, contrary to government policy, still call only for proficiency in English at headquarters. However, candidates for six of the 11 senior positions filled over the past 18 months had to be bilingual at the time of appointment.

The overall participation of both groups remained unchanged; Anglophones represent only two-thirds of the 10,479 employees. The balance is fairly good in all employment categories except Administrative Support, where Francophones are over-represented at 37%. In the regions, unacceptable imbalances continue

to be found in Quebec, where Anglophones represent less than 1% of all staff, and in Ontario where Francophones account for scarcely 1.4%.

Management of the official languages program improved during the year. Senior management firmly reminded regional offices and the directors of institutions of the need to set precise objectives and follow through on them. New service standards were established for most penitentiaries. However, given the catch-up work required, the Service still has too few resources to evaluate the program and monitor its implementation on a regular basis; only 10 or so employees are attached to the program.

The Correctional Service was the subject of 19 complaints in 1987, as compared to 25 in 1986. Sixteen related to inmate services and the other three dealt with language-of-work issues.

Employment and Immigration*

The Canada Employment and Immigration Commission was again among the departments that best provided service to the public in both official languages. It has ensured that each of its 830 offices across Canada is equipped to do so, even if service is not actively offered everywhere and bilingual capability is very limited in some locations. The Commission has made some progress in encouraging the use of both English and French as languages of work. However, the proportion of Anglophones among Commission employees remains somewhat low, largely because of their virtual absence in Quebec and their inadequate number in the Administrative Support category. The official languages program is well run; managers have specific objectives and their progress in achieving them is regularly monitored.

The Commission has managed to maintain the proportion of bilingual positions (23.7% or 5,749 out of 24,237) even though its total staff was reduced by some 1,000 in 1986-87. The percentage of incumbents meeting the requirements of their positions also remained steady at a satisfactory 87%. Southwestern Ontario and Prince Edward Island still have inadequate bilingual capability, with only 216 out of 5,844 positions (3.7%) and eight out of 204 (3.9%) requiring a knowledge of both languages. In the three westernmost provinces, only 108 of the 4,752 positions require bilingual skills, and 83 of these have bilingual incumbents.

Our audit of specialized counselling services for women, young people and students in Western Canada revealed that the offer and delivery of service in French vary considerably from office to office. We also believe that employment counsellor positions, which now call for only an intermediate level of second-language skills, should require a superior level.

The Commission is generally able to meet client needs. It maintains close contact with minority official language associations in all provinces, and can normally

respond to community needs. A survey of employer satisfaction with the Commission's services revealed that over 90% receive service in their preferred official language.

The Commission did commit one high-profile linguistic gaffe in 1987 when it failed to offer service in both languages at an immigration press conference in Halifax which had been called to release information about a boatload of refugee claimants. The one bilingual media officer present was called forward only when Francophone reporters insisted on having the situation explained in French.

Some of the Commission's recent language-of-work initiatives are promising: language-of-work objectives are now included in the contracts which all managers must sign, and 10 of the 19 executives hired this year are bilingual. The Official Languages Directorate provided all managers at headquarters and in bilingual regions with a package suggesting activities to promote the use of both languages at work, including at meetings.

Commission employees in the National Capital Region, New Brunswick and northeastern Ontario can generally work in the official language of their choice. French is the predominant working language in Quebec. The proportion of bilingual supervisors increased from 85% to 90.7% this year, although only 7% of their positions require superior second-language skills. Central services in French have improved since our 1985 audit, and most work instruments are now available in both languages. There was one notable exception this year: a Quebec office where French is the language of work purchased English computer software for use by its employees. Even when the same program became available in French, the decision to purchase the computer software was left to local management. Other work-related materials are automatically purchased in both languages.

Anglophones make up 65% of Commission staff, Francophones 35%. Francophone participation at the most senior levels (27%) is in line with the general population. Overall Anglophone participation is lower than it should be because 37% of the 12,076 employees in the Administrative Support category are French-speaking, as are 5,879 of the 6,033 employees (97.4%) in Quebec. The Commission has hired more Anglophones in Quebec recently, but is still only keeping pace with their departure rate. This situation has remained unchanged for five years, but the Commission is taking an active role in an interdepartmental committee working on recruiting Anglophones. In other regions and employment categories, the participation of Anglophones and Francophones is generally balanced. In the western provinces, for instance, Francophone participation is a satisfactory 3.9%.

The Commission's management of the official languages program continues to be excellent. Managers are held responsible for achieving program objectives through detailed letters of agreement. These have served as a general model for official languages agreements between Treasury Board and departments. Besides

statistical reviews and spot checks by the Official Languages Directorate, the Commission has internal auditors who include language criteria in their reports. Management has promised vigorous action to deal with problems concerning French-language service in Nova Scotia which we reported in 1986. However, this high level of performance may be jeopardized if the Directorate, which provides technical expertise, continues to lose resources. In the past two years, 25% of the language program staff have been re-assigned to other duties.

We received 137 complaints against the Commission in 1987, compared to 125 in 1986. Most dealt with service to the public at employment centres and in job creation offices. One-quarter came from Ontario, and alleged poor service in French. We count on the renewed commitment of regional management to resolve these recurring problems. The remaining complaints were distributed evenly among the other provinces. Managers are responsible for resolving language-related complaints in their areas of responsibility with assistance from official languages staff, and this arrangement works well.

Energy, Mines and Resources

The great achievement of the Department of Energy, Mines and Resources in 1987 was to increase substantially the number of Francophones in management positions. Its ability to serve the public remained stable, but the Department should pay special attention to language of work, where serious problems persist. It continues to manage its language program effectively.

Pursuing its commitment to provide services to all official languages minorities in their language, the Department this year implemented a new policy which clearly sets out the procedures to be followed in providing bilingual reception services. Since most of its activities are concentrated in the National Capital Region, it designated bilingual positions in all provinces and both territories. However, only 78.5% of the 964 positions designated bilingual for service purposes are occupied by linguistically qualified incumbents. That percentage is too low. Energy, Mines and Resources should also ensure more rigorous implementation of its new policy on the simultaneous publication in both languages of scientific and technical publications where demand warrants.

In our last Report, we urged the Department to step up its efforts on language of work and participation. The arrival of a new Francophone minister definitely helped stimulate the use of French in the work place, particularly among senior management. The Department also raised the language requirements of some management positions. However, 28.1% of supervisors in bilingual positions do not meet their position requirements. Since that figure represents a 2% drop from last year, it is easy to understand why many Francophone employees still find it difficult to work in French.

French is rarely used for drafting documents, and the volume of English-to-French translation is nearly 20 times greater than that in the other direction.

Communications with the Minister are, at his request, in French, and that language is increasingly used at senior management meetings. Simultaneous interpretation services are made available to participants at major information sessions. As for work instruments, most software is in English, but information may be entered or accessed in French. Although the Department is prepared to make an effort to improve the language-of-work situation, French would certainly be accorded a more favourable status if staff included a larger number of bilingual Anglophones.

The Department is also studying Anglophone-Francophone participation rates, which still reflect a number of weaknesses. The Advisory Committee established last year made a number of recommendations in this regard. While the overall Francophone participation rate of 24.6% is roughly the same as the national figure, there was a remarkable increase in Francophones in the Management category (from 10.9% to 16.1%). In addition, the Department recruited 28 senior managers in 1987, 18 Anglophones and 10 Francophones, and promoted eight Anglophones and one Francophone. We encourage managers to continue their efforts to implement the recommendations of the Advisory Committee, particularly the recruitment of Francophone scientists in accordance with the merit principle. Other imbalances will also have to be corrected, including the total absence of Francophones in the Western and Atlantic provinces (except for New Brunswick), the absence of Anglophones in Montreal and low Anglophone representation in other parts of Quebec.

Official languages objectives were integrated in operational plans near year's end, and the Department is planning to ratify them in a letter of agreement with Treasury Board. There remains only the matter of developing and implementing control measures. The Official Languages Division has an evaluation section with a very clear mandate: to conduct a series of language audits in various branches each fiscal year and to submit detailed reports to the managers concerned. The quality of the reports we consulted was high. Lastly, official languages advisers are seconded to each activity sector, thus making it possible to provide those concerned with better information on the program and to exercise more effective controls.

We again note the excellent co-operation we received from staff of the Official Languages Division, and the speed and effectiveness with which they settled complaints. We received 12 complaints in 1987, four more than in 1986. More than half concerned the unequal status of French in the work place. Corrective measures were satisfactory.

Environment

The Department of the Environment made some progress in 1987, mainly owing to improved administration of its language program, greater use of the minority press, and implementation of a new road sign policy in the Parks Service. But language of work and equitable participation remain major stumbling blocks.

Service is generally available to the public in both languages and will no doubt improve when the Department moves forward with its plan to staff on an imperative basis all bilingual positions where employees serve the public.

Person-to-person service in some national parks, particularly in the Atlantic Region, is now quite acceptable. Elsewhere — at Banff, for instance — it is still not consistently available in both languages in spite of efforts to recruit bilingual temporary staff. Most parks opened all year round are also completely without bilingual capability during the winter months.

The Parks Service has finally implemented a policy which requires road signs indicating place names in parks be in both languages, thus resolving a problem that goes back several years.

The Atmospheric Environment Service now provides bilingual weather forecasts in large urban centres and the level of service is, generally speaking, quite satisfactory. However, the Service will need more bilingual meteorologists and technicians if all its offices in "significant demand" areas are to offer service in both languages.

Following several complaints early in 1987, the Department now advertises in the minority press on a systematic basis, thus bringing its notices and announcements to the attention of all Canadians.

French is very little used as a language of work except in Quebec and in a few administrative units in the National Capital Region. There are two main reasons for this. The first is a decided weakness in bilingual supervision. Most supervisory positions require only the intermediate level of language proficiency, which tends to discourage the use of the second language. The second is the tendency of Francophone employees to draft scientific and technical documents in English.

The Department has stumbled on the road to full participation. Last year Francophones accounted for 20.1% of the 10,027 employees, while this year the figure is 19.3% of 10,156. The only two employment categories with an acceptable level of Francophone participation were Administration and Foreign Service (26.9%) and Administrative Support (28.1%). Management had a poor 15%, while the Operational category, the largest of all with 2,416 employees, has a bare 12.6%. Anglophones are under-represented in Quebec (only 7.3% of 1,081 employees).

The two key professional categories, Scientific and Professional, and Technical, which together account for 44% of all staff, had Francophone participation rates of only 18.4% and 16.6% respectively, a situation which in itself helps explain why French is under-used as a language of science within the Department. Departmental authorities are considering a variety of measures aimed at achieving a more balanced representation of both language groups.

Official languages promotion and administration have been largely integrated within other departmental functions, and senior managers are held accountable for developments in their respective areas. While managers are aware of the broad requirements of the program, they need detailed information on priorities and objectives and help in bringing about changes.

Of the 74 complaints received this year, 26 more than in 1986, 72 dealt with service to the public. Person-to-person contacts and signage were the main problems, and Parks Canada was the principal target. The Department co-operated well in handling complaints, but in Western Canada things moved slowly and permanent solutions were more elusive.

External Affairs

The linguistic situation at the Department of External Affairs underwent few major changes in 1987. The Department continued its efforts to provide Canadians at home and abroad with service in both languages, but French still lacks appropriate status as a language of work. Anglophone-Francophone participation remained virtually unchanged from 1986 and, while generally satisfactory, suffered from under-representation of Francophones in the Management category. The follow-up study we conducted at the end of 1986 revealed persistent weaknesses in passport offices and among rotational support staff.

Generally speaking, the Department provided satisfactory service to the public. At headquarters, reception services and documentation are generally offered in both languages. However, as noted in last year's Report, the Passport Office still has some difficulties meeting its linguistic obligations and was the subject of a complaint about correspondence sent in English to a Francophone. Currently, half of the 18 regional offices have only one bilingual employee each; when that person is absent, bilingual service is supplied at a Zenith number. The distribution of passport forms in post offices is still a problem; many outlets stock only those in the language of the local majority; the Department does not seem prepared to monitor this matter.

Among non-rotational staff, 968 of the 1,100 employees in bilingual positions (88%) meet the requirements. The overall bilingual capability of rotational groups is 63.2%, but that capacity varies significantly from one category to another. For instance, it stands at 79% for the 1,156 foreign service officers, but only 51.2% for the 479 secretaries. New foreign service officers will be required to reach a superior level of proficiency in their second language. The result is that bilingual service varies greatly from one post to another. In posts abroad, reception services are often provided by locally hired staff who are sometimes not fluent in both official languages.

Little or no progress has been made on the use of French as a language of work. The Department has not yet solved the problem of a chronic lack of bilingual communications officers and secretaries, both of whom are key to the use of both

languages. Only 84 of the 246 communications officers are bilingual and almost 20% of the 245 theoretically bilingual secretaries have only elementary second-language proficiency. This lack of progress is explained by the fact that the employees in question rarely have access to language training. Consequently, Francophone officers in many branches and posts abroad continue to experience difficulty working in French. Even in Paris, for instance, four of the 25 administrative support employees are unilingual Anglophones.

Thanks to past efforts made in the computer systems field, the Department was able to work with a supplier to establish a truly bilingual micro-computer system. Henceforth, the computer will itself reproduce French accents without recourse to special software.

The bilingual capability of supervisory positions improved slowly in 1987. At this time, 88.6% of the 304 non-rotational supervisors meet the language requirements, compared to 79% in 1986. Among rotational staff, several Francophone secretaries are still supervised by managers with only minimal knowledge of French.

The overall participation of the two language groups remains acceptable (71% Anglophone and 29% Francophone). However, the proportion of Francophones in the Management category is cause for concern; it declined by 1.6% in 1987, and now stands at only 19.8% overall. Francophones are also under-represented in the Technical category (26 of 159 employees). On the other hand, they are well represented in the Administrative and Foreign Service category (420 of 1,624 employees, or 25.9%). Anglophones now represent 55.8% of employees in the Operational category, a significant 10% increase over last year.

The Official Languages Branch suffered still more staff cuts in 1987 and now has only 12 employees as compared to 17 in 1983. As we noted in 1985, program management is weakest abroad. Even though an official languages co-ordinator has been designated for each post, that person is not required to prepare an annual report and the Official Languages Branch consequently lacks information on these posts. Its only information comes from internal audit reports and from the few audits the Branch itself conducts. As part of a pilot project established two years ago, five major posts were to develop official languages programs. To date, Paris, Tokyo, Washington and Brussels have completed this exercise and the Department must now evaluate the situation to determine if the practice should be extended.

We received 30 complaints against the Department in 1987 as compared to 27 in 1986. Eleven of the 25 about language of service concerned the Zenith number for information on free trade. Given the scope and importance of this topic and campaign, it is surprising that the Department failed to ensure bilingual service at all times. These cases are still under review. Another complaint related to the fact that the Department sent a questionnaire on apartheid to over 30,000 Canadians across Canada in the language of the local majority population in each postal

district, thereby neglecting the rights of members of local minority groups. The Department has agreed to use a bilingual presentation in future.

Three of the five complaints on language of work revealed major problems. Once again this year, certain information sessions for employees leaving for abroad were given in English only. The same applied to professional training and, in this regard, the Official Languages Branch will soon launch a study to determine why Francophones tend to enrol in English courses. Lastly, the Compensation and Benefits Division is unable to provide service in both languages. In this case, the Department has agreed to increase its bilingual staff and assign the work in a manner more suited to the language skills of staff. We shall be following this matter closely. Lastly, the Department is to be congratulated for ensuring that, in a few months, Canadians will be able to receive passports with accents on capital letters.

Farm Credit Corporation*

Generally speaking, the Farm Credit Corporation manages to meet its linguistic obligations to its many clients across Canada. Its policy clearly states that English and French have equality of status in the work place, and the official languages program is quite well administered.

Our 1987 audit revealed that even though the Corporation has developed fairly satisfactory procedures for ensuring active offer of service in both languages, most employees do not systematically put them into practice. While signage and publications are commendably bilingual, this does not in itself mean that customers feel at ease dealing with the Corporation in their language. In this regard, district and field offices could assist credit advisers by visibly identifying client language preferences on files.

Furthermore, although bilingual employees are strategically located in various areas of "significant demand", in our view the Corporation's criteria for defining such demand do not enable it to reach all official language minority groups. It should therefore re-define these criteria. Outside designated bilingual regions, the Corporation still has no procedure for directing minority language clients to bilingual credit advisers. Only 98 incumbents of the Corporation's 158 bilingual positions meet the necessary standards, but all bilingual positions call for either the intermediate or superior level of second-language proficiency.

The Corporation experiences the same types of language-of-work difficulties as many other federal institutions. Despite its clear policy in this regard, French is inadequately used on a day-to-day basis except in Quebec. One of the most obvious reasons for this state of affairs at headquarters and in certain regions is that some senior managers and supervisors have an inadequate command of their second language.

Our audit revealed that some central services are unavailable in French and that computerized systems are initially developed in English, thereby making it difficult

to add a French equivalent. Work documents are available in both languages and Francophone employees at headquarters are able to receive their performance appraisals in the language of their choice. Communications between headquarters and regional offices are generally in the appropriate language.

To stimulate the use of French, the Corporation should see to it that supervisors have an adequate knowledge of both languages. Senior management should set the example through a practical application of bilingualism, and the Corporation should include linguistic matters in its planning, particularly with respect to the development of work instruments.

In 1987 the Corporation had 685 employees, 168 of whom (24.5%) were Francophone. While this overall rate is satisfactory, imbalances are to be found in some sectors and regions. For instance, there are no Francophone employees in British Columbia or Saskatchewan and only one Anglophone among the 90 staff in Quebec. At headquarters, only three of the 15 executives are Francophone, and in Financial Services and Lending Operations, Francophone representation is rather weak (slightly over 20%). The Corporation should develop a plan to correct these imbalances.

For such a plan to be successful, the official languages program will have to be more rigorously managed and senior management will have to show appropriate leadership. Although language objectives are adequate and properly integrated with operational plans, the Corporation should appoint a full-time employee with responsibility for carrying them through. It should also remind managers of their language obligations.

The two complaints we received in 1987 dealt with lack of advertising in the minority press. Both were settled satisfactorily.

Fisheries and Oceans

The Department of Fisheries and Oceans made a number of praiseworthy efforts to improve its performance this year but these were offset to some degree by the consequences of a reorganization and staff reductions. Some progress was achieved in providing bilingual service to the public but, despite interesting initiatives, French is still largely under-used as a language of work at headquarters.

To improve service to the public, the Department increased the number of bilingual positions in the Maritimes and initiated closer consultation with the Francophone community in the Scotia-Fundy Region. Signage, as well as documents issued to the public, is usually available in both languages.

As a result, service is available in both languages in bilingual regions and in many offices in areas of "significant demand". However, bilingual service is not available in offices serving parts of Nova Scotia, the west coast of Newfoundland, in Prince Edward Island and in southeastern New Brunswick.

The Department has identified 1,037 of its 6,023 positions as bilingual (17.2%) and 873 incumbents meet the language requirements of their positions (84.2%). The majority (1,027 or 99%) of the bilingual positions are in the National Capital (445), Quebec (187), Gulf (290) and Scotia-Fundy regions (105). With only 10 bilingual positions in the other regions, the Department cannot guarantee service to its clients in both languages.

The Institut Maurice-Lamontagne in Ste-Flavie, Quebec, opened officially in June 1987; it is the first departmental research centre in which the language of work will be almost entirely French. Fisheries and Oceans is to be congratulated on this initiative, which will create new opportunities for Francophone scientists to work in French.

The Department also worked hard to increase the use of French as a language of work in other ways. Regional plans must include specific steps for promoting the use of both languages and editing services are offered to those who would like to write in French. Essentially, headquarters communicates in French with Quebec and in both languages with New Brunswick. Virtually all work documents are bilingual, and financial, administrative and personnel services are available in both languages. Language-of-work problems stem in no small part from the fact that close to 50% of all staff is in the Pacific and Scotia-Fundy regions where there are few Francophones. As a result, Francophones represent only 15% of the Department's 6,023 employees. In the National Capital Region, however, Francophones account for 27% of the 552 employees, and for 42.8% of the 345 in the Gulf Region which, in our view, is too high. Anglophone participation in Quebec is low at just under 8%.

The main difficulty, however, lies with the distribution of both language groups. Francophone participation is well under 15% in all occupational categories except Administration and Foreign Service (22%) and Administrative Support (25.4%). The Department will have to do more to increase Francophone participation in the Management category in the National Capital Region, where only six of the 58 employees are Francophone (10.3%), and in the Scientific and Professional and Technical categories (10.5% and 13.5% respectively).

The Department's official languages program is efficiently run. Language objectives are integrated into operational plans; co-ordinators and directors examine work plans and consolidate those from the regions; and managerial involvement in these processes is generally sound. However, the participation objectives are not well defined except for Francophones in the Management category and for Anglophones in the Scientific and Professional category in Quebec.

Of the 29 complaints received against Fisheries and Oceans this year (compared to only eight in 1986), 14 dealt with a failure to place departmental publicity in the minority media. The rest referred to such matters as unilingual English press releases and too few copies of English publications at Montreal's Salon des aînés.

Seven complaints had to do with language-of-work issues. The Department was generally quite co-operative in handling complaints, and proposed solutions were satisfactory.

Fitness and Amateur Sport

Fitness and Amateur Sport continued the work it began in 1986. In addition to maintaining to its sound bilingual capacity, it stepped up efforts to achieve more equitable use of both languages in the fitness and amateur sport agencies it subsidizes. In its internal operations, however, it should take more dynamic steps to secure French its rightful place as a language of work and to increase the number of Anglophones in administrative support positions.

Since more than two-thirds of its employees are bilingual, Fitness and Amateur Sport has no serious difficulty serving the public in both languages. The same is not true, however, of the roughly 100 national sports, fitness and recreation associations it subsidizes each year. To improve the bilingual capacity of those associations, a financial assistance program was introduced in 1984 to encourage them to develop annual official languages plans. In 1987-88, the program will provide slightly over $300,000 for translation, interpretation and language training to 67 such associations, 20 more than in 1986-87.

The great majority of national associations is now able to offer some services in English and French to its members and the public. The National Sport and Recreation Centre, a private organization which provides administrative services to 85 such associations and nearly half of whose budget comes from Fitness and Amateur Sport, pays the salaries of 42 bilingual support employees who work for its member associations.

Fitness and Amateur Sport improved the language clause of the agreement governing its financial contribution to the Canada Games for medical and security services, media relations and service to the public. We hope that a similar clause will be applied in respect of all national and international sports events it subsidizes.

Major work documents — procedures, manuals, directives — exist in both languages. However, the intermediate second-language skills required of certain managers are not adequate to the task and prevent some employees from exercising complete freedom of choice. Furthermore, the management committee should improve the status of French at its meetings by distributing agendas, minutes and documentation in bilingual format. Lastly, we strongly encourage Fitness and Amateur Sport to distribute a questionnaire on the use of both languages in the work place to all employees in order to better identify its weaknesses in this area.

Francophones are over-represented at Fitness and Amateur Sport (24 of 71, 33.8%). One of the three senior managers and nine of the 42 officers (21.4%) are Francophone. The greatest imbalance is found in the Administrative Support category, where Anglophones occupy only 12 of 26 positions (46.2%).

In 1988 the new team responsible for administering the official languages program should be able to step up its efforts on all fronts.

We received six complaints in 1987, one less than last year. All dealt with service to the public: three concerned Fitness and Amateur Sport and the three others, subsidized sports events. All were settled promptly.

Harbourfront*

The mandate of Harbourfront Corporation, which reports to the Minister of Public Works, is to develop an attractive waterfront area for public and private use on 37 hectares of federally-owned land in downtown Toronto. The site is visited by over 3 million people a year and serves a local Francophone population of over 50,000.

The Corporation received its first linguistic assessment in our 1984 Report. At that time, we concluded that its official languages record was not very distinguished. We regret to say that the description still fits in 1987 and that the program is almost at a standstill.

In 1987 we conducted a follow-up to our 1984 audit to determine the degree of compliance with our recommendations and to evaluate progress. Only one of our 16 recommendations, concerning the need for balanced programming in English and French, had been implemented. We judged three others — on the identification and staffing of bilingual positions, on stationery, forms and business cards in both languages, and on advertising employment opportunities to the minority population — to be partly implemented.

The remaining recommendations have received scant attention. Harbourfront has refused to adopt a bilingual corporate name and has yet to develop an official languages policy or program. Its box-office patrons are still greeted only in English, its signs are mostly unilingual and no effort is made to advertise in the minority media. Furthermore, it has no linguistic guidelines for selecting its cultural, educational and recreational programs, and exercises no linguistic controls over programs offered on its premises by private groups.

What this litany of omissions boils down to is that service in French is, at best, inadequate. Reception, by telephone or in person, is in English except in the main reception area, and Harbourfront is not listed in French in the Toronto telephone book. Although its own visitor statistics indicate that 13% of clients are, in the Corporation's words, of French "cultural extraction", it does not consider this to be "significant demand". Correspondence received in French is not always answered in that language and the bulk of the Corporation's publications is in English only.

Although Harbourfront has identified a number of public contact positions to be staffed with bilingual employees, it has done virtually no recruiting. The lack of formal standards or testing procedures to determine second-language proficiency

means the Corporation is unable to determine accurately how many bilingual employees it has on staff. However, one bright spot on this otherwise bleak landscape was the special effort made last summer to hire bilingual temporary staff for the information desk; seven of the 28 guides hired were bilingual. We urge Harbourfront to pursue this excellent initiative.

In terms of Anglophone-Francophone participation, the Corporation's performance leaves plenty of room for improvement. Only seven (4.8%) of its 147 employees are Francophones and none of them is a senior manager.

Harbourfront is one of the very few federal institutions which does not possess the basic infrastructure of an official languages program. No program can succeed without management commitment, and this, in our view, is the major systemic obstacle to the creation of a viable linguistic regime in the Corporation.

We received four complaints involving various aspects of service to the public in 1987. Their resolution will depend on the prompt implementation of our recommendations.

House of Commons*

The follow-up to our 1986 audit found that the House of Commons Administration has continued to make progress. Employees generally have no difficulty serving Members of Parliament and the general public in both languages. While there was encouraging progress as a result of management's efforts to promote the use of French as a language of work, problems are still to be found in this area. The percentage of Anglophone employees dropped slightly this year and is still very low.

A significant proportion of House staff is bilingual and the Administration provided excellent bilingual service to the public despite the fact that the level of activity increased noticeably and the number of staff remained virtually the same. The House received close to 900,000 visitors, an increase of 20% from 1986, and the activities of parliamentary committees increased significantly. Of 1,630 employees, 1,199 occupy positions requiring a knowledge of both languages, and 957 (79.8%) of these meet the requirement. The percentage of employees meeting the requirements of bilingual positions has increased steadily over the past three years thanks to the House's strict adherence to a policy of staffing all such positions with linguistically qualified candidates.

English and French are widely used as languages of work, although French does not play an appropriate role in certain specialized activities. In the Administrator's sector, for example, the increasing use of computers has brought a corresponding emphasis on English because of the greater ease of obtaining computer manuals and training in that language. Possibly as a result, computer reports which could be produced in either language are frequently prepared in English only. This does not encourage the use of French elsewhere.

The proportion of supervisors who meet the language requirements of their bilingual positions has risen from 75% in 1985 to 83% this year. In the Security Services Directorate, however, five of the 22 supervisors, most of whom are Anglophone, do not meet the requirements. This obviously impedes a balanced use of both languages in the work place. Despite this obstacle, 1987 was the first year in which a group of employees in the Directorate received training and supervision in French. Both languages are frequently used in meetings at the House. The most widely-used work documents, such as manuals and management directives, are routinely produced in both languages. Central and personnel services are available to House employees in either language.

Only 595 of the House's 1,630 employees are Anglophone (36.5%), a slight decrease from last year. Anglophones are better represented among the Management (62%), Technical (61%), and Professional (54%) categories, but more than two-thirds of Operational and Administrative Support jobs are held by Francophones. Since the latter two categories account for over 1,000 positions, Francophones outnumber Anglophones by a ratio of two to one overall. The House Administration should monitor this situation carefully, and make every effort to recruit qualified Anglophones to its staff. We are concerned that only 48 of 138 (34.8%) new employees in 1987 were Anglophone. Any solution to the problem will be delayed indefinitely by this rate of recruitment.

The House has made changes to the management of its official languages program. Language tests are now conducted in a more structured manner and better records are maintained. Each organizational unit of the House will be required to set official languages goals and report on progress during the coming year. A similar system in use from 1982 to 1985 proved to be an effective means of monitoring the situation and making corrections. We are pleased to see a new planning and monitoring system in place since we had expressed reservations when the House abandoned the former one.

We received 12 complaints about the House of Commons, compared to four in 1986. Three dealt with unilingual English signage (suggesting that stricter controls may be needed) and five with service in English only. One of these concerned a hearing of a standing committee at which simultaneous translation from one of Canada's Native languages was available into English but not into French. Four complaints dealt with language of work. One of them concerned training sessions which were offered in English only to volunteer emergency fire wardens; another dealt with the unavailability of reference material in French for a pilot project to computerize Members' offices. The House settled most complaints promptly.

Indian Affairs and Northern Development*

Our recent audit confirmed that language reform is still experiencing a generalized slow-down in the Department of Indian Affairs and Northern Development. The Department underwent an extensive re-organization last year and is facing major

staff reductions which will continue over the next three years. In the circumstances, it is not surprising that managers tend to give priority to programs other than official languages.

As justification for its low bilingual capacity in the regions, the Department claims that 96% of its Native clientele chooses to communicate with it in English. The results of the survey which the Department's Communications Branch conducted of Indian bands, and which we discussed in last year's Report, partly substantiate the Department's claim. However, meetings with representatives of Indian bands and Native associations as part of our audit indicate that, in the bilingual regions (New Brunswick, Quebec and Northern Ontario), the official language in which band chiefs and their councils communicate with the Department is not necessarily the preferred official language of all members of their respective bands. Some bands include large numbers of Anglophones and Francophones, and the language of communication with the Department therefore varies according to the chief and council in place. Implementation of the 1985 Indian Act amendments, re-establishing the right of certain persons and their children to belong to a band, could change the linguistic profile of a number of bands. The Department should reassess the language needs of its clientele based on these facts. It should not, however, forget the needs of its regular clientele of teachers, students and researchers, and should bear in mind that the Native and other clientele to whom it provides services and information are entitled to receive them in their preferred official language. We therefore urge the Department once and for all to establish an adequate bilingual capacity in New Brunswick and Ontario and to make its clientele aware of that capacity.

French has not secured its rightful place as a language of work in the Department. In the National Capital Region, 18.5% of supervisors in bilingual positions are unilingual, and only 4.6% of managers occupy bilingual positions requiring superior second-language proficiency. This situation perpetuates the deeply-rooted habit of most departmental employees, even Francophones, of working in English. It is impossible to work in French in the bilingual regions except in Quebec. However, our recent findings show that the situation is deteriorating even in that province if the increasing number of unilingual English documents being issued by headquarters is any indication.

Given the staff cutbacks under way at the Department, an increase in the Francophone participation rate would have been surprising. That rate remained a low 15% for the Department as a whole, 6.5% in New Brunswick and 1% in Ontario. Clearly, the Department must take all possible steps to correct the situation. The Anglophone participation rate in Quebec also declined, from 16.8% in 1986 to 14.9% in 1987. That drop may be explained by the fact that when Indian bands took over the federal English schools, the Department had to reduce the number of Anglophone teachers in Quebec.

The Department's official languages program is more or less at a standstill. In the past few years, management has been decentralized and integrated with various

human resources sectors. Our recent observations confirm this has not made it more effective. The officer in charge of official languages has no one to help him co-ordinate the network. Is it therefore any wonder that no control mechanisms have been introduced? What is more, the departmental internal audit team took absolutely no interest in the language issue in 1987. The official languages program will clearly continue its decline unless senior management takes the necessary steps to reverse the trend.

We received seven complaints against the Department this year, two more than in 1986. Five concerned announcements not published in the minority official language press in Manitoba, two of which related to teaching positions. The remaining two complaints dealt with unilingual Native peace officers. Five of the seven complaints were under investigation at year's end as part of our audit.

Information Commissioner

The Office of the Information Commissioner of Canada responded positively to our 1986 language audit and implemented changes that will enable it to serve the public better in both languages and encourage greater use of French as a language of work. The Office has now adopted an official languages policy which should, if efficiently implemented, help correct most of the weaknesses revealed by the audit.

Eleven of the Office's 15 employees are bilingual, so it has no difficulty serving complainants in their preferred language. Our audit found, however, that investigators did not necessarily communicate with departmental information co-ordinators in the latter's preferred language. The Office has accepted our recommendation to correct this weakness.

Only three of the seven complaints investigators are bilingual. This, in our view, is inadequate given the variety of contacts which may be required during a single investigation. The Office has agreed to increase the number of bilingual investigators as positions fall vacant, and to raise the language requirements of some bilingual positions. This should improve the quality of service in both languages. We shall be monitoring the effectiveness of these measures.

The use of French as a language of work at the Office is not what it might be, in part because most complaints are submitted in English and investigators draft their reports in the language of the complaint. Francophone and bilingual staff work on complaints received in French, and management has agreed to remind investigators that they may write reports and other documents in the language of their choice.

French is seldom used during meetings, largely as a concession to a few unilingual English employees. Supervisors are generally able to deal with their staff in the latter's language, although our audit found that the position of legal adviser

required a higher level of French proficiency. The Office will raise the language requirements of the position and provide the necessary language training for the incumbent.

Personnel and central services are provided to employees through the Corporate Management sector, which it shares with the Office of the Privacy Commissioner. Since 11 of the 14 employees in this sector are bilingual, services are available in both languages.

Of the Office's 15 employees, eight are Anglophone and seven Francophone. Given the small number of employees involved, it is difficult to maintain appropriate proportions. The Office should nevertheless pay attention to the low participation of Anglophones when hiring new employees. The Corporate Management sector also has a very high proportion of Francophone staff (10 of 14).

We received one complaint about the Office this year. It concerned unilingual telephone reception, and has been satisfactorily settled.

International Development Research Centre*

Our recent audit of the International Development Research Centre shows that its linguistic situation has improved somewhat since our last full examination in 1981. French is nevertheless still under-used as a language of work, and imbalances persist in the participation of the two language groups. The appointment of a full-time official languages co-ordinator was an important milestone in the Centre's language reform program which, for a number of years, had been rather less than dynamic.

On the whole, the Centre is able to provide service in both languages. Signage and reception service are bilingual, and the library receives its many visitors in the appropriate language. General publications and brochures, folders and films produced by the Centre are available in English and French. However, technical and scientific publications designed for specialists generally appear in English first, the French version being published four months to a year later. Although we have pointed out this irregularity on a number of occasions, the Centre still has not changed its practice, which is incompatible with the requirements of the Act and does nothing to secure a more appropriate place for French in scientific research. We hope the new policy the Centre intends to introduce will correct this weakness.

The Centre has a respectable proportion of bilingual positions (335 out of 374, 89.6%). However, it considers that only some 75% of these are occupied by linguistically qualified incumbents. That figure is inadequate. The Centre has not considered it necessary to specify the language requirements of its bilingual positions, although it plans to do so in the near future. Consequently, it is difficult to assess the proficiency of their incumbents, and the Centre sometimes hires

staff who do not have the necessary language skills. It should therefore identify more clearly its position requirements and staffing criteria.

Unless the Centre adopts strong measures in this regard, French will continue to be inadequately used as a language of work. The fact that 32% of bilingual supervisory positions are occupied by unilingual employees does nothing to promote the use of French, especially since the traditional predominance of English in the scientific community calls for a special effort in this regard. French is under-used in meetings, memos and other documents: 90% of the 23 technical and scientific publications produced by the Centre in 1987 was drafted in English. It must therefore redouble its efforts to promote French in the work place.

Although the Centre still has unilingual work documents, we hasten to point out that it is doing much to develop bilingual computer systems and related manuals and training programs. The official languages officer has established a "bilingualism network" of employees from all divisions to discuss ways of promoting the use of French in the Centre's activities.

Staff in a number of central and personnel services have difficulty communicating with employees in both languages. This is particularly true of financial services and of the mail, travel and central registry sections.

Overall Francophone representation is high (32% of 374 employees), but Francophones are under-represented in the Scientific category (55, or 20%). Given the nature of the organization, one can see the effect this must have on language of work. Anglophones are under-represented in the Professional (60%) and Administrative Support (63%) categories. The Centre should strive to correct these imbalances as soon as possible.

The Centre has not yet integrated official languages objectives in its operational plans and nothing has been done to monitor program implementation. However, it has just completed a guide for managers and employees describing its language policy and the terms and conditions of its implementation.

We received one complaint against the Centre in 1987. It dealt with a publication sent in English to a Francophone and was quickly settled.

Justice*

The Department of Justice continued to take a dynamic approach to its official languages program in 1987. It is completing a full review of the language requirements of positions, the principal focus being on the linguistic capability of supervisors. It took several interesting initiatives to increase the use of French in the work place and to correct imbalances in the representation of Francophone lawyers in regions where English is the majority language. Although it has made major progress in the drafting of legislation in French, it still has to overcome some difficulties in this area.

The Department now has sound bilingual capability in its eight regional offices, one bilingual lawyer having been assigned to Winnipeg and one to Halifax. Seven of the eight regional offices have at least two lawyers with a superior level of second-language proficiency. For the Department as a whole, 55.4% of positions (798 of 1,441) are bilingual, and 93% of incumbents (742) meet the requirements. The Department is thus able to offer all its services to the public in both languages.

On the other hand, the bilingual capability of legal services offered to client departments is sometimes poor. In eight cases, including National Health and Welfare, Energy, Mines and Resources, Customs and Excise and Consumer and Corporate Affairs, some 30% of the lawyers from the Department of Justice are bilingual. The Department has launched a study to determine the language needs of client departments and, in the next few months, intends to develop a plan to meet those requirements. The Department is also examining the question of the language of legal opinions provided to client departments. It attaches great importance to staff language training and, in 1987, provided it in one form or another to some 350 employees.

In dealing with the language-of-work issue, the Department has quite properly continued to focus its efforts on work documents and the bilingual capability of supervisors and work documents. Almost 85% of the 186 supervisors are now bilingual, as compared to 78% in 1985, and 46% have superior second-language proficiency. Both languages are widely used in the Administration and Legislative Programming branches and in about one-third of the Legal Services Branch. Elsewhere, however, the use of French is limited and the Department has taken a number of steps to correct this situation: the deputy minister issued a directive to members of the Executive Committee asking them to ensure that documents prepared for that Committee and its sub-committees are presented in both languages. The chairpersons are required to report periodically to the deputy minister on this matter. The Department also developed an inventory of all work documents to ensure they are distributed in both languages.

Since April 1987 all candidates for senior professional positions in the National Capital Region have had to meet the requirements of their bilingual positions upon appointment. In the Department as a whole, 50 of the 103 employees appointed to bilingual positions in 1987 were already bilingual.

Even though steady progress has been made to give French equal status in the important field of legislative drafting, a number of obstacles still have to be overcome. For instance, it is difficult to prepare bills in French when preliminary discussions with the department in question are conducted in English. The Department plans to take this matter up with the institutions.

Anglophones represent 65% of all employees and Francophones 35%. The high Francophone participation rate is largely attributable to an over-representation of Francophones in the Administrative Support category (206 out of 497 employees, or 41.4%). There is better balance in the lawyer group, where

Francophones represent 27% of the 700 or so employees. A better balance also needs to be struck in the regions: Anglophones represent only 5% of the 100 or so employees in Quebec and only five Francophones are to be found among the 367 employees outside Quebec and the National Capital region. These anomalies were identified by members of the Joint Committee when the Department appeared before it. The Department recently launched an active campaign to attract Francophone candidates from the Universities of Moncton and Ottawa, the two locations where common law is taught in French.

With respect to program management, the Department has now integrated language planning in its overall planning process. Senior managers are required to report on progress to the Senior Official Languages committee, which monitors the program as a whole.

In 1987 the Department was the subject of nine complaints, compared to three in 1986. Eight dealt with service to the public, three of them the lack of service in French in Winnipeg and Saskatoon. The ninth questioned the role of French in legislative drafting. With the exception of the last complaint, which is still under investigation, all were settled satisfactorily.

Labour*

Progress at the Department of Labour was not as great as it might have been in 1987. Our recent follow-up indicated that only four of the 14 recommendations in our 1985 audit report have been completely implemented, and another three partially. Difficulties persist in all areas of the official languages program.

In statistical terms, the Department appears to have a sufficient number of qualified bilingual employees (416 out of 875) to provide its clients with service in both languages at all locations where there is demand. In practice, this is not the case. The bilingual employees are concentrated mainly in Montreal, Moncton and the National Capital Region. Bilingual service is of uneven quality in Toronto and Winnipeg, neither of which office has even one position requiring superior second-language skills. The Department is taking steps to improve the situation and plans in future to ensure that each of its bilingual service points has at least one bilingual employee. There will also be a separate listing in local telephone directories giving a number where service may be obtained in French. We will monitor the situation carefully to see that these good intentions are carried out.

In our 1985 Report, we suggested that the Department conduct a survey to identify obstacles preventing French from becoming a more viable working language. This has not yet been done, and some of the major language-of-work problems identified in our 1985 audit have received inadequate attention. For instance, a number of reference documents are still available only in English, most meetings are normally not conducted in both languages, many Francophones continue to be supervised exclusively in English and some of the central services (Finance, Information Processing and Security) do not consistently provide bilingual service

to other sectors. On the other hand, personnel services are available in both languages and the Department has been working to increase the number of bilingual supervisors. Vacant positions are being staffed with bilingual employees and the number of supervisory positions calling for the superior level of proficiency now stands at 21 out of 189, as compared to 10 three years ago. Supervisors who need language training are being given top priority. The Department's computer systems have also become more bilingual.

Overall Francophone participation stands at 33%, which is higher than it ought to be. French-speakers are over-represented in the Administrative Support category (136 of 319, or 42.6%), satisfactory in the Scientific and Professional category (17 of 69, or 24.6%), but too low in Management (7 of 38, or 18.4%). Anglophones represent only 1.3% of the staff in Quebec. The Department will need to take serious steps to correct these anomalies.

In terms of the management program, the Department has yet to introduce effective monitoring at the branch or regional levels, and its internal audit sector does not include official languages among its criteria. The official languages adviser has no staff and is unable to carry out regular monitoring or trouble-shooting activities. The Department should look closely at this important aspect of its program.

Five complaints were lodged against the Department in 1987. Two concerned telephone reception; another, fire instructions in English only; one concerned a departmental circular sent to a client in English only; and the last involved service provided under workers' compensation. They have not yet been resolved.

Marine Atlantic

Marine Atlantic made very little progress in 1987 in achieving its language objectives. Its one major effort concerning language of service was to hold discussions with associations representing Francophone communities in three Atlantic provinces. In addition, the Corporation finally acknowledged the important link between passenger safety and the linguistic aspect of service, and published a guide to help employees make public announcements in both languages aboard ferries.

It is nevertheless still difficult for Francophone passengers to obtain service in their language. Of Marine Atlantic's 3,152 employees, who are recruited from a mainly unilingual Anglophone population, only 65 occupy bilingual positions, and 52 of those are seasonal. As a result, bilingual employees are frequently unavailable on some shifts, a situation that makes French-language service aboard ferries sporadic, and even worse at terminals.

Only the RESMAR telephone reservation service has adequate capacity to provide bilingual service at all times. Despite the Corporation's efforts to encourage its employees to offer service actively in both official languages, progress has been rather modest.

In 1987 we examined the issue of language of work for the first time since Marine Atlantic's inception. When we asked managers to consider granting French equal status as a language of work at headquarters in Moncton, the answer we received was a categorical "no". It appears the Corporation could not make changes of this type without radically altering established practice. Considering that all work documents are in English only and that almost all supervisors are Anglophone, Marine Atlantic's few Francophone employees apparently have no choice but to reconcile themselves to the situation. This state of affairs is all the more unacceptable in that its headquarters is located in an officially bilingual province.

Nor does the Francophone participation rate help matters: there are only 94 Francophones out of a total of 3,152 employees (3%). They are therefore under-represented in almost all employment categories and are entirely absent from senior management. Only in the Specialist and Sales categories does their participation rate exceed 5% (15.8% and 25% respectively). For the time being, Marine Atlantic is considering no measures to correct this situation, even though the Joint Committee on Official Languages said it should introduce an affirmative action program for Francophones. The Corporation should broaden its recruitment base and commit itself to hiring more Francophones.

Marine Atlantic established an official languages liaison committee composed of senior managers and a part-time co-ordinator to manage its new language program more effectively. It also presented an official languages plan to the Minister responsible. In our view, the plan focuses too much on maintaining past gains and shows no desire to advance toward equality for the two languages. Although managers are accountable for achieving objectives, the absence of strict controls casts some doubt on the plan's effectiveness. The Corporation would do well to designate a full-time official languages co-ordinator to provide the necessary controls.

All 43 complaints received against Marine Atlantic in 1987, compared to 60 in 1986, concerned language of service. Almost one-third focused on the failure of wicket personnel and parking attendants at ferry terminals to supply service in French. The remainder dealt with unilingual English signage and announcements, the absence of service in French by concessionaires and various other aspects of language of service.

Medical Research Council*

Our 1987 audit showed that the Medical Research Council has not managed to make the necessary progress on the official languages front. Although it has improved somewhat since our 1980 study, particularly with respect to language of service, major weaknesses persist in the manner in which it provides bilingual services to English- and French-speaking scientists, in language of work and in the administration of its language program.

The Council's role is to promote and support research in health sciences in Canada through scholarships and grants. In the guides it publishes for researchers, its main public, mention is made of the fact that they may receive bilingual service and correspondence in the language of their choice. This is a clear improvement in the area of service to the public. The Council's official publications are also bilingual.

Our audit indicated, however, that if the Council truly wishes to promote French as a language of science in Canada, it must act immediately to remove barriers to its use in the scholarship and grants awarding process. Our survey revealed that 28 of 45 Francophone scientists (62.2%) applied for grants in English because of linguistic constraints identified and perceived in the review process. The audit also uncovered weaknesses in telephone service and correspondence with the Francophone scientific community. We therefore recommended that the Council provide bilingual service of equal quality at all telephone numbers its clientele is likely to use, that it introduce a systematic quality control mechanism for letters drafted in French and that it respect the language preferences of its correspondents.

French does not have the appropriate status in the work place because certain supervisors, particularly in program management, have an inadequate command of the language, and some Francophone employees are neither supervised nor evaluated in French. A number of texts used for meetings (internal documents, agendas, notices of meeting and correspondence) are drafted in English only. Likewise, French is under-used in the meetings themselves, and only the minutes of the Management Committee and Council are bilingual. Although the Council is generally able to provide central services in both languages, we observed a number of weaknesses in this area, including lack of service in French in the electronic data processing and the fact that internal training is not always given in both languages. Since the Council has made no attempt to determine the language preferences of its new employees since 1983, we recommended that it correct this situation and ensure that employee preferences are respected by all sectors providing services to staff.

In terms of the administration of the official languages program, our audit showed that employees should be better informed of the Council's official languages policy. The Council should also establish specific objectives for its branches, introduce control mechanisms to guarantee policy implementation and require managers to report on language matters. The language requirements of certain positions should also be reviewed, and in some cases modified, to reflect the responsibilities involved.

As in 1986, we received no complaints against the Council this year.

National Capital Commission

The National Capital Commission continued to offer a high standard of linguistic service to the public in 1987 and maintained its excellent bilingual image. While it has not yet fully come to grips with its problems in participation and language

of work, the Commission has taken several promising initiatives with respect to the latter.

Of the Commission's 761 employees, 452 (59.4%) occupy bilingual positions and 350 (77.4%) of these meet the language requirements, most of which are at the intermediate or superior levels of proficiency. This high proportion of bilingual staff no doubt contributed in a major way to the positive results of the Commission's 1986 client survey, which indicated a considerable degree of public satisfaction. The Commission is still plagued, however, by the continuing difficulty of getting its concessionaires to live up to their contractual obligation to offer bilingual service. Our 1986 Report called for control mechanisms to help bring about compliance, and the Commission began monitoring performance in 1987.

More recently, this Office and the Commission undertook a joint project to review the language clauses of leases and agreements and to visit some of the premises. The exercise revealed that many of the restaurants in Commission buildings already have the capacity to provide bilingual service. But it became obvious that the language clauses in their leases would need to be strengthened to ensure greater enforceability. What is even more obvious is that the Commission must find ways to support and encourage the potential that already exists. We urge the Commission to undertake similar projects at regular intervals.

The Commission faces an uphill battle in its efforts to establish French as a viable language of work. Managers are still not sufficiently aware of their duty to supervise employees in the latter's preferred language and to create a work environment conducive to the use of both languages. Central services are generally available in English and French, but many work instruments are still available only in English. The ingrained habit of sending up written work in English and preparing presentations to the Management committee in that language is apparently not an easy one to break.

Nevertheless, there have been positive developments and new initiatives. Senior management sets the tone of an organization, and at the weekly meetings of the Management Committee the use of both languages is now actively encouraged. Furthermore, senior managers are now being evaluated on their contribution to the language program. The Commission has hired a consultant to take an inventory of work instruments with a view to correcting deficiencies, and the annual appraisal form now has a box where employees can indicate their language preference. The latter, according to the Personnel Branch, is being respected. Last but not least, the formal language-of-work plan we recommended the Commission prepare in 1986 will soon be submitted to the Management committee. We will follow developments in this area with great interest.

Overall Anglophone participation in the Commission is about the same as last year at 53.4% (406 of 761 employees), and is still too low in all employment

categories except Management. The Commission is aware of these imbalances, but points out that low staff turnover makes adjustments difficult.

Ten complaints were lodged against the Commission in 1987, two less than in 1986. Of the seven that touched on service to the public, three concerned signage or service on the premises of concessionaires or lessees, three were directly attributable to the Commission and one involved French-only signage on Quebec highways leading to Gatineau Park. The other three complaints were about language of work: one concerned a memorandum to staff circulated only in English, the second was about a middle management training course offered in English only to both Anglophone and Francophone employees, and the third concerned a course in English only for employees working with volunteers. The last two are still under investigation. The Commission demonstrated great effectiveness and co-operation in dealing with these complaints.

National Defence*

The Department of National Defence has two components: the Canadian Forces, with 85,942 military personnel, and 32,446 civilian employees. Together they represent about one-third of the federal work force (excluding the Crown corporations). The Department is by far the largest federal institution, exercises a major influence on the language reform program and has a direct impact on the families of thousands of service personnel at military bases across Canada and abroad.

The focus of our attention in 1987 was the Department's language-of-work situation. The year began with the Commissioner taking the unusual step of submitting a special report to the Governor in Council on obstacles to the use of French at National Defence headquarters, and ended with the Department's announcement of a promising set of corrective measures. In between, the Department began a review of the linguistic designation of all military and civilian positions, distributed information on linguistic rights and obligations to its personnel, and established an executive committee to devise new initiatives to increase the use of French at headquarters. The list of measures is impressive and long overdue but we await results before passing final judgement. For the time being, the average Francophone at National Defence continues to face daily and deep-seated obstacles to working in French.

The lack of progress over the previous 10 years in removing obstacles to the use of French in the Department's operations had prompted the Commissioner's special report to the Governor in Council. The report identified three systemic obstacles: the predominance of English-only technical work instruments and military professional development courses, and the tendency within the Forces to post unilingual personnel to bilingual positions. Despite recommendations by the Commissioner dating back to 1977, the Department had failed to take appropriate

or adequate action. Government's initial response to the special report was judged to be insufficient and the report was re-submitted to the Governor in Council.

In its second response, the Government acknowledged that National Defence is far behind other departments as regards language of work, and presented a series of proposals to redress the situation. The Department's commitment to language reform has been substantially strengthened by linking, for the first time, its linguistic responsibilities with its operational objectives. In addition, Treasury Board has accorded the Department greater flexibility to reduce the backlog of English-only technical documents. The existing requirement that new equipment be accompanied by bilingual work instruments now specifies that those work instruments be available for training purposes. Directives have also been issued to begin to fill military positions with linguistically qualified personnel, high priority being given to the positions of course instructors. Francotrain, the Department's program for providing military professional development courses in French, is being expanded to triple the number of courses under review. Such measures have long been badly needed. We will follow their progress closely.

In April, media reports alleged that National Defence discriminated against Francophones in its second-language training program for military personnel. The allegations were based on a directive issued by the Canadian Forces Language School in St. Jean, Quebec, which outlined different procedures for grading Anglophone and Francophone students. Also at issue were differences in the linguistic requirements for various trades and for officership as well as in the duration of the initial language course for recruits prior to trade or classification training. In response to the charges, the Department asked the Commissioner to conduct an independent study of the program to determine if discrimination existed and to propose corrective measures. The report has been completed and submitted to the Department.

In our study of the linguistic designation of civilian positions at National Defence, we found that the use of improper criteria, a poor understanding among managers of the Department's own linguistic policies and obligations, and the cumulative effect of inadequate control procedures in the past inspired little confidence in the validity of the designation process. Recognizing this situation, the Director General of Maritime Engineering and Maintenance had already taken the initiative of reviewing the designation of positions. The Department has in turn undertaken to review the designation of all civilian positions, with improved controls and criteria, in tandem with a previously planned similar review of its military positions. The Department should devote special attention to ensuring that, in determining demand for services in the minority language, such services are actively and effectively offered in both official languages.

Our audit of National Defence units in the National Capital Region revealed widespread misconceptions of linguistic rights and obligations. The audit covered the Ottawa Recruiting Centre and the Hull detachment; the 3 Air Movements

Unit, responsible for the military airport at Canadian Forces Base Ottawa; the Police and Security section at the same base; and 76 Communication Group Headquarters, which manages the Department's telephone services in the region and at National Defence Headquarters. We also audited the National Defence Medical Centre.

Four of the five units, the exception being 76 Communication Group Headquarters, had been the subject of recommendations in a 1977 audit. Ten years later we found some of the same shortcomings.

Services to the public were provided in the appropriate language in recruitment and at the military airport, but they tended to be unilingual English in security and communications. Actively offered bilingual services were more the exception than the rule, and were particularly lacking in security examinations. Except for the Hull recruiting detachment, English was the only language of work at all the units audited. Almost all activities, including supervision, meetings, memos and internal notices, were in English, even at the Ottawa Recruiting Centre where 65% of the staff are Francophone.

Staff members were generally unaware of the linguistic designation of their units or of their own positions and often did not know the nature or extent of their linguistic obligations. This was particularly evident in our survey of telephone numbers identified by a black dot in the National Defence telephone directory as providing bilingual services. Of the 223 people interviewed, one-half were unaware of the system even though their own number had a black dot beside it. The greeting was bilingual in only 23% of the cases and callers were not served in their language 38% of the time. We believe the black dot system is a good idea that could work well with an appropriate monitoring mechanism and by making personnel more aware of it. At present it is not particularly effective.

As noted in our special report, most bilingual positions in the Forces are filled by personnel lacking the necessary language skills. Even among military positions identified as providing service to the public, 43.4% are occupied by linguistically unqualified personnel. The rotation of military personnel and the overall shortage of bilingual Anglophones seriously impede the Department's efforts to meet its own goals. Changes introduced in 1986 to the military second-language training program were directed at increasing the number of bilingual Anglophones, but high failure rates among Anglophone students, at least partly attributable to low motivation, have plagued the program since its inception. The Department has yet to get the message across that it really is necessary for some Anglophones entering the Forces to become bilingual.

The limited availability of trade and classification training courses in French as well as English has meant that Francophones, trained in English, have gone on to work in that language. There has so far been little to show for the revitalization of the Department's Francotrain program, announced in 1986. However, in

response to complaints, steps were taken to begin providing courses in French as well as English in computer training and military engineering.

In some courses where bilingual instructors and at least some bilingual material are available, the Department offers tutorial assistance in French to Francophone students. Not only has this policy proved inadequate for developing fully bilingual courses, it does not necessarily provide the immediate benefits for which it was designed. Regardless of the help an instructor can provide after hours or of the availability of French-language documents, Francophone students must cope with unilingual English classroom instruction. The extra demands placed on Francophone students are undeniable. As one correspondent rhetorically asked, what would the success rate be of Anglophones in a course given in French with tutorial assistance in English?

There has been no noticeable increase in the availability of technical documentation in French. Approximately 95% of such material is still in English only. The far-reaching daily impact of the situation on the use of French by Francophone personnel, both civilian and military, cannot be exaggerated. We welcome the news that Treasury Board will be more flexible in providing the Department with the means to accelerate translation of the existing backlog. Sufficient funding must also be assured. There is no question that the lack of French-language technical work documents is a major stumbling block to providing military professional development courses in French. Nor is there any doubt that a substantial number of existing documents need never be translated, given the rapidity of technological changes. At issue are the technical work documents regularly used by Francophone personnel or important for safety or training purposes. These considerations are especially critical as National Defence enters a major procurement period.

Francophones continue to constitute 27% of the Department's 86,000 military personnel. It is noteworthy that Francophone participation among officers continued to improve in 1987, reaching 23.3% compared to 21.9% in 1986, and increased in Maritime Command from 17.8% to 18.8%. By comparison, the under-representation of Anglophones in Mobile Command (65.7%) improved only slightly.

The Department points to lack of mobility within the Public Service to account for low Francophone participation among its 32,000 civilian employees, but this cannot adequately explain why, at 20.1%, it has remained virtually unchanged since 1983. Francophone participation among civilian senior managers has edged up from 13.0% to 13.6%, which makes the situation only slightly less unacceptable. We welcome the news that the Department now requires all selection boards for civilian hiring to include consideration of Francophone candidates, unless none can reasonably be found.

We received 88 complaints concerning National Defence in 1987. The major change from 1986 was a dramatic drop in complaints about the linguistic designation of civilian positions. In other areas, the number of complaints increased

considerably. About one-half related to lack of service to the public or to the Department's own personnel in the appropriate language. Examples included the lack of French-speaking doctors at Canadian Forces Base Ottawa, English-only commentary on an air demonstration in Ottawa during Canada Day festivities and the absence or inadequacy of French-language telephone services at Canadian Forces Bases Esquimalt in British Columbia and Shearwater in Nova Scotia.

Many of our correspondents also referred to serious difficulties in trying to work in French. As usual, there were several examples of internal communications in English only. In 1987 three Francophones took issue with the Department's failure to provide them with military training in their language, a situation which affects hundreds, if not thousands, of others. The Department has co-operated with us in developing more efficient procedures for processing complaints. Internally, however, results are often slow in coming; this can at least be partly attributed to the structure of and procedures in the Canadian Forces.

National Health and Welfare

The past year was not one of significant linguistic breakthroughs for the Department of National Health and Welfare. Although it was reasonably effective in providing bilingual service, its performance in other areas of the official languages program was still somewhat below par. Rather than tackle problems we have raised in past reports, the Department stuck to the beaten path and left innovation to others.

The Department has the capacity to offer services of equivalent quality in both languages in areas of "significant demand". This is especially true of the Income Security Programs Branch, which has a great deal of contact with the public. The Branch offers some degree of service in the minority language even in areas where demand is low by using special telephone lines. The Branch has encountered difficulties providing service in French at the Ontario regional office in Scarborough but is working to correct the problem. Bilingual signage, telephone and in-person reception and counter cards are some of the methods employed to encourage clients to use their preferred language.

The Department's capacity to provide bilingual service has remained relatively constant over the years. The number of occupied bilingual positions now stands at 2,686 of 8,710, but only 81.5% of these are staffed with linguistically qualified employees. The number of bilingual employees in Saskatchewan, Alberta and British Columbia remains low at 1.3% (16 out of 1,277). The Department is steadily upgrading the language requirements of all its bilingual positions: at present, 272 remain at the lowest level, compared with 329 in 1986. We have recommended that all departments eliminate this elementary level of second-language proficiency for positions involving service to the public, and we are pleased to note the Department's progress in this area.

Like many other departments, National Health and Welfare has put in place the basic infrastructure of a language-of-work program. Manuals and directives are bilingual, as are all widely-used computer systems. Central and personnel services are provided in both languages by an adequate number of bilingual employees, and the language requirements of supervisors in bilingual positions are gradually becoming more stringent. Furthermore, the percentage of supervisors who meet the language requirements of their positions, while still too low at 75.8%, is increasing. Unfortunately, these elements have yet to jell into a viable language-of-work regime. French is still rarely used in the Department outside Quebec. The Department should take steps to bring about increased management commitment and ensure that managers at all levels know how to create working conditions that are truly conducive to the use of both languages.

Francophone participation is somewhat low in the Senior Management committee (21.5%) and in four of the six employment categories, especially the Scientific and Professional (14.6%). Anglophone participation in Quebec stands at a very low 3.3%.

Official languages monitoring is not conducted on a regular basis, and corrective action is usually taken only when this Office investigates a complaint. A system of regular in-house monitoring of the Department's performance in language of work and participation needs to be set up.

Fifty-two complaints were lodged against the Department in 1987, as compared to 45 in 1986: 47 concerned service to the public and dealt mainly with telephone reception, advertising in the minority media, correspondence and person-to-person service; five involved language of work and management of the official languages program. Some difficulty was encountered in resolving complaints resulting from a deeper systemic weakness.

National Revenue (Customs and Excise)*

National Revenue (Customs and Excise) made further progress in 1987. It did its best to serve the public in both languages, but was hampered in its efforts by staff reductions and operational constraints such as high traffic volume at some border crossings. It successfully encouraged a greater use of French as a language of work in Quebec and, to a lesser extent, at headquarters. Overall Anglophone-Francophone participation remains balanced. However, the Department still has major obstacles to overcome. More bilingual staff are needed outside of Quebec to meet the needs of the travelling public, and participation imbalances in various employment categories and regions must be addressed.

The Department is in its second year of a five-year plan to reduce staff. Nearly 300 employees have gone since 1986-87 and another 273 positions are scheduled to be eliminated in the current fiscal year. These reductions limit management's flexibility to staff new positions and free employees for language training, but

the Department has nonetheless maintained a stable level of bilingual capability: 93% of the 3,127 employees in bilingual positions meet the necessary standards.

Customs and Excise has made a serious effort to offer service actively in both official languages: signs are posted inside all Customs offices, the Department conducts periodic in-depth surveys to determine demand and, at two major airports, members of the public can choose to line up at a wicket announcing bilingual services. The Department should continue to consult official language minority groups on ways to improve the quality of its services. We have noted repeated problems in announcing bilingual service in Ontario at some international bridges and tunnels whose owners are reluctant to allow the Department to post signs in both languages. The Department intends to make full use of its expanded authority under the new Customs Act to improve the signage situation.

Since most travellers going through Customs prefer to pass as quietly as possible, we believe it essential for the Department to offer bilingual service visibly, actively and audibly rather than waiting for clients to ask. We are therefore encouraged by its positive response to our suggestion that each Customs office in Ontario clearly identify a designated bilingual point of service. Officials will conduct a pilot project with a designated bilingual point of service by the end of March 1988.

In preparation for the 1988 Winter Olympics, the Department plans to post eight additional fluently bilingual Customs inspectors at the Calgary airport to ensure that travellers can be served in English or French. At present, however, only 52 of the 140 Customs offices have one or more employees with an advanced level of second-language skills. Customs inspector positions require only intermediate level second-language skills, which are in many cases inadequate to explain more complex search and seizure actions. As noted last year, the Department's linguistic capability was particularly low in southern and western Ontario (only 5.4% of the almost 3,000 positions are bilingual). The situation is virtually unchanged this year. However, the Department continues to hire a reasonable number of bilingual students for summer jobs, a policy which should improve its permanent bilingual capability over the long term. In 1987, 195 of the 639 students hired (30.5%) were bilingual.

The Excise component of the Department deals with a more limited and clearly defined clientele than Customs, and is generally able to do so in both languages.

Our 1987 audit of the Laboratory and Scientific Services Directorate found that French is under-used as a language of work largely because of inadequately bilingual supervisors. The positive steps taken by the Department this year to encourage greater use of French include raising the language requirements of 20% of senior management positions and 15% of those in units providing central and personnel services. Within the next four years, up to 50% of all such positions will have had their standards raised.

The Department has modified its performance appraisal form to enable employees to indicate their preferred language. A headquarters unit monitors the language

of written communications with Quebec, and has found that most central units use French for such purposes.

The Department has maintained its well-balanced Anglophone and Francophone participation: of 9,825 employees, 73% are Anglophone and 27% Francophone. At the most senior levels, Francophones are still under-represented (19% of management positions, an improvement from 16% last year). Unfortunately, Anglophone participation in Quebec declined slightly from 6.9% in 1986 to 6.7% in 1987. In Quebec, the Department is represented on a regional committee with other departments and Anglophone associations in an attempt to solve this long-standing problem. Francophones are generally well-represented in the other provinces.

Customs and Excise has maintained a strong official languages program, well supported by senior management. Its monitoring system has allowed the Department to take corrective measures to improve future performance. Staff at all levels and in all regions have precise instructions on how to attain the Department's objectives.

We received 17 complaints in 1987, the same number as last year. The majority came from members of the travelling public passing through Customs. The Department has resolved most complaints promptly.

National Revenue (Taxation)

The official languages situation at National Revenue (Taxation) remained virtually static for most of 1987. However, at year's end, senior management made a firm commitment to the Joint Committee on Official Languages to give new impetus to the program. This will mean resolving persistent weaknesses in the collections and audit groups and making French a truly viable language of work at headquarters. In other areas, the Department is generally able to offer its regular services in both languages and Anglophone-Francophone participation is quite well balanced.

Regular services to the public are offered through 36 district offices and seven taxation centres. Ten of the district offices and four of the taxation centres are located in bilingual regions and generally have no difficulty providing service in both languages. For instance, the proportion of bilingual employees is approximately 80% in the Montreal region, 45% in Ottawa, 43% in Sudbury and 38% in Saint John. To facilitate the delivery of bilingual services, the Department increased from 15 to 17 the number of offices with separate telephone lines for requests for information in English and French. In some offices, only 2% or 3% of the employees are bilingual: examples include Halifax, Charlottetown, Toronto and Edmonton. In addition, only 84 of the 4,753 positions in Western Canada (1.8%) are bilingual. In overall terms, 3,537 of the Department's 17,809 positions (19.9%) are bilingual, and slightly over 90% of the incumbents meet the requirements.

The major weakness in service to the public is to be found in the audit and collections groups. Even though we have been bringing this situation to the Department's attention since 1982, it still has no bilingual auditor in Halifax, Edmonton or Vancouver, and only two out of 628 staff in Toronto. Since these services can be somewhat intimidating for taxpayers, it is all the more important that the situation be corrected. Senior management promised the Joint Committee that it would give priority to this issue.

The Department took a number of steps to encourage Francophone taxpayers outside Quebec to ask for service in French. Currently, only approximately 2% of all such requests are made in that language. The Department wrote to the major accounting firms inviting them to ask their clients in which language they would like their tax return to be completed. It also included a notice with personalized tax return forms inviting taxpayers to identify the language in which they wished to be served. The Department could still do more, for instance by including information on language rights in the "Declaration of Taxpayer Rights" published for the first time in 1986, and could publicize these rights in its media advertising. It should also solve distribution problems with respect to the tax form, which is sometimes available in English only in some regions, thereby obliging Francophones to submit their returns in English. In 1987, for instance, the forms were distributed in English before they were in French. We also learned that the Department's initial communication with newly established businesses took place in English only in the Outaouais region. Following our intervention, the Department corrected this oversight.

The status of French as a language of work improved very little in 1987. Naturally enough, French is the language of work in Quebec and, to some extent, at offices in Bathurst and Sudbury and at the Ottawa Taxation Centre. At the Sudbury offices, management actively encourages the use of French at meetings but in New Brunswick and at headquarters, French is used very little even though there are many Francophone employees (one-third of all staff at headquarters). Taking the Department as a whole, 88% of texts are translated from English to French, a fact which indicates the limited use made of the latter. The main obstacle to a more substantial use of French is the unilingualism of some supervisors and managers. Almost 30% do not meet the requirements of their bilingual positions or have only a limited knowledge of French. Among senior managers, this proportion is 38.1% (32 of 84). No new steps were taken in 1987 to correct these long-standing problems even though senior management adminted to the Joint Committee that it needed to strengthen the role of French in the work place.

The participation of both language groups among the 17,809 employees is relatively satisfactory, with Anglophones representing 73% of all staff and Francophones 27%. Francophones now make up 23.4% of the Management category and 22.6% of the Scientific and Professional category. However, they remain under-represented in the Management category at headquarters (19.3%). There has been some progress in the regions, where Francophones now represent

28% of all staff in New Brunswick, compared to 21.3% in 1984. In the West, however, they remain under-represented (roughly 50 of 4,753 employees, 1%). Similarly, in Quebec, Anglophones represent only 4% of staff, and efforts should continue to increase this proportion.

Given these continuing weaknesses, the program is not managed as rigorously as it should be. Controls in the regions as well as at headquarters are still fragmentary, and there are only three employees at headquarters to oversee a program that affects almost 18,000 permanent and 7,000 casual employees. Senior management has agreed to correct this situation.

In 1987 we received 59 complaints against the Department compared to 30 in 1986. Thirty-five dealt with lack of service in French by telephone or in person and with correspondence sent in English to Francophones. Ten or so concerned the fact that people were unable to obtain an income tax return form in French even though the form was available in English, and another 10 came from taxpayers who criticized the poor quality of the French of the Department's documents. Some complaints were settled quickly, but in some instances satisfactory corrective measures were taken only after repeated efforts.

Petro-Canada

Petro-Canada put considerable thought, organization and planning into its official languages effort in 1987. Although it still encounters many problems in all aspects of its language program, it nevertheless breathed new life into it this year. This, no doubt, results in part from its President's appearance in March before the Joint Committee on Official Languages, which seriously questioned the manner in which the Corporation was implementing its program.

Petro-Canada's 3,728 service stations are the Corporation's main points of contact with the public. By year's end, 697 had been designated for signage in both official languages. Although bilingual signs had, until recently, been reserved for communities where the official language minority represented at least 10% of the population, we find it encouraging that Petro-Canada is considering lowering that figure to 5%. Once this matter has been settled, we hope Petro-Canada will take steps to provide truly bilingual services where required. The Corporation introduced two newsworthy projects in 1987. First, telephone service will be offered free of charge at some service stations where staff is unable to communicate with customers in both languages. Second, a booklet of standard phrases in both languages has been distributed to retailers of Petro-Canada products and will soon be followed by a cassette. Despite the progress anticipated as a result of these initiatives, unacceptable weaknesses persist in the service provided to customers at service stations. Examples include the uneven linguistic quality of advertising folders and coupon booklets printed in separate English and French versions.

Credit is another service the Corporation offers to many Canadians. Petro-Canada has taken great pains to ensure that correspondence is in the language of the

customers. The only problems in this regard arose when the names of former customers of Gulf were transferred to Petro-Canada's computer system. The Corporation nevertheless took the necessary corrective measures, by providing a detachable flap on envelopes to enable customers to indicate their language preference. The Corporation also makes regular use of the minority language press and subsidizes various educational, cultural, sports and recreational activities. We found this program treated both language groups fairly.

This year, Petro-Canada began to identify functions that require knowledge of both languages for language-of-service purposes, in particular those of telephone operators at headquarters and in the regions. It distributed a folder containing standard phrases and their equivalents in the other language to assist employees in such positions.

Although French still has unequal status as a language of work at headquarters in Calgary or in the bilingual regions, the Corporation made some effort this year to correct matters. Most administrative manuals and training courses are now available in both languages. Training courses are equitably offered to both Anglophones and Francophones and documentation on performance appraisals is distributed in English and French. However, central services at headquarters and in the regions (except Quebec) are provided very sporadically in French. When identifying bilingual functions, Petro-Canada should clearly take greater account of the service needs of employees. For example, it might ask all employees to indicate the language in which they wish to deal with administrative matters, and take steps to respect this preference.

The participation situation regarding is unacceptable. Francophones represent only 12% of the Corporation's 7,285 employees. The Senior Manager Development committee is trying to correct this weakness, but will have to take many factors into account, in particular the location of Petro-Canada's operations. Participation is balanced only in the Quebec region, where Anglophones represent 20.2% of staff, and in the Sales category, where Francophones account for 27.3%. There are no Francophones among the 21 Service group employees, and only 15 in the 176-member Senior Management group.

Although the Corporation allocated new resources to manage its official languages program, a task which last year involved only one person on a full-time basis, we still find the arrangement inadequate. The new team will have to give serious thought to the obligations imposed by the Official Languages Act and establish a network of contacts in all corporate sectors to make employees more familiar with the language program and do the necessary monitoring.

We received 32 complaints against Petro-Canada this year, (20 in 1986). All concerned serious shortcomings in service to the public (unilingual signage and correspondence not in the customer's preferred language). Some resulted from the lack of linguistic quality control, while others focused on the absence of any

bilingual capacity at certain service outlets. Settling complaints was generally a slow, laborious process given the limited number of staff assigned to the language program.

Privacy Commissioner

The Office of the Privacy Commissioner has taken several positive steps toward setting up an effective official languages program. Most notably, its adoption of an official languages policy should help to correct the weaknesses brought to light in our 1986 audit.

The Office has no difficulty dealing with members of the public in either official language. It is not, however, always able to extend the same quality of service to departmental privacy co-ordinators. Although five of its six complaints investigators are bilingual, only one of the four investigators in the Compliance Division can speak both English and French. Given the variety of contacts that may be required during a single investigation, we believe most investigator positions should be designated bilingual.

Sixteen of the 20 positions at the Office require a knowledge of both languages and 14 employees meet this requirement. Only five bilingual positions at present call for a superior level of second-language knowledge, a situation which the Office has undertaken to improve.

In spite of this significant bilingual capability, office meetings are held in English in deference to a few unilingual employees. In general, French is too rarely a language of work. Until recently, all complaints reports were written in the language of the complaint, which is English most of the time. The Office has informed us, however, that it recently implemented our recommendation that investigators be permitted to write reports in the language of their choice.

Central and personnel services are provided through the Corporate Management sector, which the Office shares with the Information Commissioner. The sector has an excellent bilingual capability (11 out of 14 staff) and provides service easily in both languages.

Francophones are under-represented on the Office's staff, occupying four of the 20 positions, and only two of the 12 officer positions. All three management positions are held by Anglophones, as are all six positions in the Compliance Division. Given the small number of staff involved, it would be difficult to have perfectly balanced ratios at all levels and in all categories, but the Office should attempt to correct the more obvious inequities.

We received one complaint about the Office in 1987, the same as in 1986. It concerned unilingual telephone reception and was settled promptly.

Public Service Commission

The Public Service Commission continues to be one of the leaders of language reform. As a point of honour, it provides service in English and French, and

its employees are generally able to work in the language of their choice. There are nevertheless a few problem areas: Anglophone participation is inadequate and professional training for public servants is not always available in French.

The high bilingual capacity of staff at all levels and in all employment groups enables the Commission to provide bilingual service to its various publics. Of all employees, 81.9% (1,833 out of 2,238) occupy bilingual positions and 92% of incumbents meet the language requirements. Although 24.4% of bilingual positions require the superior level of second-language proficiency, the overall capacity is in fact higher since 59.5% of employees in all bilingual positions meet that level. In addition, each regional office has a solid bilingual capacity and special cases should pose no problem.

In general, the Commission has managed to create an environment in which employees may work in their preferred language. Supervision is in the language of the employee; central, administrative, financial and personnel services are available in both languages; and Senior Management committee meetings are held in English and French. The Commission has set objectives to make its computerized systems completely bilingual and has begun to modify its equipment for that purpose.

As a central agency, the Commission provides professional training to public servants. Francophones are often deprived of such training in French when courses in that language are cancelled due to insufficient participation or because the French translation of course material has not been completed. We have raised this problem on a number of occasions, particularly in our last audit report. The Commission has studied the matter and proposed a number of solutions, including reducing the minimum number of participants in the regions. We hope the Commission and Treasury Board Secretariat, which share responsibility for these matters, will continue to strive to give both Anglophones and Francophones equal access to professional training.

Staff cuts at the Commission and its efforts to redeploy affected staff left it with little latitude to correct participation imbalances. At 37.5% (839 out of 2,238), overall Anglophone participation in the Commission is still too low. Even discounting employees of the Language Training Program, which is composed mainly of French-language teachers, Anglophone participation stands at only 44.9%, a decline of 1% since 1986. Anglophones are particularly under-represented in Administrative Support, where they form only 32% of staff (233 out of 728 employees). However, the situation has improved in New Brunswick where there are now two Anglophones (14.3%), whereas last year there was none.

We received 19 founded complaints against the Commission in 1987, compared to seven in 1986. Eight concerned professional training originally offered in French, but subsequently cancelled, seven dealt with language of service, two with the minority press, one with equitable participation and the last came from an Anglophone employee who received correspondence in French. The

Commission maintained its excellent co-operation in handling these complaints and intervened directly with the managers concerned.

Regional Industrial Expansion*

The official languages program of the Department of Regional Industrial Expansion is built on solid foundations. The Department's bilingual capability is high in terms of both the number of bilingual staff and their language proficiency. Procedures for contacts with the public are followed, participation levels are being maintained, and staff are striving to remove barriers to the use of French in the work place. Despite the major re-organization currently under way, the Department is carefully pursuing its language objectives and regularly monitoring its program, into which it has breathed new life. It also implemented the recommendations we made in an audit report in early 1987.

The Department provides bilingual service to its users and the general public in signage, publications and in the announcements it publishes in the majority and minority press. The Department is usually represented by both English- and French-speaking employees at seminars, conferences, fairs and exhibitions, and makes use of simultaneous interpretation services for presentations. In 1987 the Department once again conducted a survey of telephone and reception services and found that, while reception staff were aware of their linguistic obligations, they did not always offer their services spontaneously in both languages.

The Department introduced a strategy in 1987 to promote freedom of choice in language of work. Results were quick to emerge: management and general staff meetings are now held in both languages and the number of documents drafted in French has increased. Central and personnel services have a solid bilingual capacity, but there are some weaknesses in this regard in the internal audit group. Lastly, electronic data processing products are not always available in both languages.

Despite the re-organization and staff cuts, participation rates remained stable (31.8% Francophone, 68.2% Anglophone). Anglophone under-representation is particularly evident in the Technical, Administrative Support and Operational categories (65%, 60.2% and 33.3% respectively). The situation is even worse in Quebec, where Anglophones represent only 5.9% of personnel. Only three of 113 (2.7%) Administrative Support employees are Anglophone, and all 12 members of the Scientific and Professional category are Francophone. In future, except in New Brunswick and the National Capital Region, where participation figures are more evenly balanced, the Department will require that one or more candidates be from the minority group for competitions to staff management, senior management and commerce officer positions.

The Department continued integrating its stringent language objectives with its operational plans and is monitoring progress monthly through a strictly controlled system. Following its appearance before the Joint Committee in April, it prepared

a plan which sets out its commitments, corrective action and a timetable. In addition, the plan clearly describes managers official languages responsibilities.

The Department has shown leadership in ensuring that staff meets the language requirements of bilingual positions and have the superior level of second-language proficiency. It has 2,712 employees, 1,471 (54.2%) of whom occupy bilingual positions. Only 21.7% of the positions require superior second-language proficiency, but 42% of incumbents (618 employees) possess such skills. At the other end of the scale, only 37 bilingual positions require the elementary level (2.5%), and the Department has stopped creating such positions. This is progress indeed.

However, only four employees are assigned to manage the official languages program. This is clearly inadequate for the active promotion of objectives, particularly while the Department is undergoing re-organization.

We received four complaints against the Department in 1987, compared to seven last year. A particularly important one dealt with the ARMX defence materiel fair in Ottawa, where some departmental officials were unable to converse in French. The Department agreed to take steps to avoid similar situations in future and kept that commitment at a major tourist fair in Ottawa later in the year.

Royal Canadian Mounted Police

For the official languages program of the Royal Canadian Mounted Police, 1987 was an eventful year. At the end of 1986, it announced plans to dilute several policies, including those relating to Francophone participation among regular members and the level of language proficiency required for bilingual positions. On two occasions, it was called before the Joint Committee on Official Languages which, like the Commissioner of Official Languages, firmly expressed its opposition to the proposed changes. As a result, the RCMP re-examined matters and agreed during the summer not to modify its objectives. It also took some positive steps at year's end which suggest that the program is now more on track. It will nevertheless have to make a sustained effort to achieve proper status for French in its organization.

The basic objectives of its program attracted most attention in 1987. After receiving our comments, which were strongly endorsed by the Joint Committee, the RCMP agreed to leave its Francophone participation objective for regular members at 20.8% instead of lowering it to between 12% and 15%. In our view, this will help the RCMP meet its language needs. As a national police force whose members move from region to region and may be called upon to act as federal, provincial or municipal peace officers serving the travelling public and the minorities, it cannot rely on a strictly minimal number of bilingual and Francophone personnel. And French cannot truly become a language of work if Francophone representation falls below a certain threshold.

The RCMP also decided to amend its guidelines to facilitate the staffing of positions requiring a superior level of language proficiency. In the coming months, it plans to establish a language training program for all recruits, but will set limits on the time available to those who do not have the aptitude to learn a second language. In our view, this program is very timely, and will allow the RCMP to increase its bilingual staff without preventing access to employment for unilingual personnel.

On a whole the RCMP is able to serve the public in both languages in the bilingual regions of New Brunswick, Quebec and northeastern Ontario. Following a complaint from several Francophone associations criticizing the fact that the detachment chief position in Caraquet, New Brunswick (a location that is over 90% Francophone), called for only the intermediate level of second-language proficiency, the Force set about reviewing the requirements of all positions in the province. There is reason to believe that the superior level of second-language proficiency will be required of detatchment chiefs in communities where the majority is Francophone.

In English-speaking regions, the RCMP determined it needed 432 bilingual employees out of a total of 11,500 personnel (3.8%) to serve the minority population. In our view this is too few, given the high staff turnover and the many daily contacts with the public. Furthermore, the RCMP has not assigned as many bilingual staff as it deems necessary to certain units; this is the case in Saskatchewan, where eight of the 42 bilingual members required are not linguistically qualified, and in Prince Edward Island (5 of 12). The RCMP has bilingual personnel, especially in Western Canada, who do not occupy bilingual positions but who could nevertheless help provide service in both languages; however, they are not necessarily posted to a location where their language skills are required. While the deployment of 13,000 regular members across Canada is a complex operation, we are of the view that the RCMP could do better, as indeed it did in its skilful assignment of some 100 bilingual members to public contact points at the Calgary Olympic Games.

RCMP members should in principle communicate with members of the public in the latter's language and, where required, call upon a bilingual colleague for assistance. We have received several complaints which indicate this procedure is not always respected. In some instances, RCMP members have let it be known that it would be preferable that people use English so as not to create problems. Given the intimidating nature of contacts with the RCMP, this type of behaviour is unacceptable.

To make members more aware of RCMP policies, the Official Languages Branch gave 16 information sessions to various divisions. The new RCMP Commissioner, who is bilingual, also announced in an internal newspaper his firm intention to have the Official Languages Act better respected in the Force. We are extremely pleased with this commitment.

Language of work still poses many difficulties. Use of French in the work place is not as it should be outside Quebec, particularly in certain detachments in Francophone parts of New Brunswick. The review of language requirements currently under way in this province should help increase the use of French.

Little use is made of French in almost all sectors of headquarters even though Francophones represent 30% of staff, the main obstacle still being the very limited bilingual capability of many incumbents of bilingual positions. In the 1,368 positions, 58% of incumbents do not meet the requirements. Much the same percentage applies to supervisors. These figures have remained virtually unchanged over the past three years. Members of the Joint Committee examined at great length the limitations placed on French within the Force. The RCMP should push hard to make headquarters capable of operating in both languages by raising the language requirements of positions (only 13% now require the superior level) and by offering more training to unqualified incumbents. The new Commissioner has committed the Force to such action while respecting the rights of all members.

We plan to follow closely the establishment in 1988 of a new system for designating language requirements. Instead of attaching requirements to each position, units will be assigned a proportion of staff who must be bilingual. The RCMP feels this system will give it greater flexibility in deploying its personnel. Care will nevertheless have to be taken to ensure that it in no way hinders the rights of members of the public to be served in their language or those of employees to be supervised in their language.

The RCMP has agreed to implement one recommendation, designed to offer all recruits an opportunity to take their basic training in their language, from our audit of the Regina Training Centre. This should obviate the type of situation that arose in 1987 when a troop of 32 special constables, 28 of whom were Francophone, received their training in English only.

Two central services, the Organization and Personnel Directorate and the Commissioner's Audit Branch, have good bilingual capability. By contrast, only three of the 16 staff in the Financial Control and Authorities Directorate are bilingual, and Health Services has no bilingual employee. These situations should be corrected.

The major news on the participation front is that the RCMP agreed to maintain its 20.8% objective for regular members. This will provide better balance for English and French as languages of service and work and will make the RCMP, a national organization of great symbolic importance, more representative of Canada's linguistic duality.

It is also encouraging to note that Francophone representation among regular members is gradually increasing without producing the excesses of several years ago. In addition, the RCMP recently agreed to recruit a major proportion of its members from the West, where over 60% of its staff are concentrated.

Francophone representation increased from 14.5% in 1986 to 15.3% in 1987 (2,015 out of 13,158). If both special constables and civilian members are included, Francophone representation grew from 16% to 17.2%. The distribution of both groups in various regular member ranks has also improved, but Francophones still account for only 11.2% of sergeants and 9.2% of staff sergeants. The RCMP should give careful attention to this situation.

Members of the minority are well represented in each region of Canada. In light of the catch-up required, the Force has managed to maintain an acceptable balance in its recruitment of regular members; 29.5% of such recruits were Francophone in 1987. When one includes all new recruits, the figure is 33.9%.

Management of the official languages program took a turn for the better when the RCMP decided not to reduce its objectives. The Force is also attaching great importance to monitoring program implementation. The Commissioner's Audit Branch systematically includes official languages in its audits and brings weaknesses to the attention of senior management.

In 1987 the RCMP was the subject of 38 complaints, as compared to 30 in 1986 and 22 in 1985. Thirty dealt with service to the public, many of them telephone reception. Eight concerned the difficulties encountered by members of the Force wishing to work in French in bilingual regions. We also received 27 complaints from RCMP members concerning the language requirements of positions. These will be examined in 1988 as part of our audit of Force headquarters. The RCMP quickly settled a number of minor issues, but took far too long to deal with more complex matters.

Science Council*

Since our last mention in our 1984 Annual Report, the Science Council of Canada, whose 30 members are drawn from universities and industry, has suffered major staff cuts. Having lost 23 support staff, it now has only 29 employees. Our 1987 follow-up nevertheless showed that the Council is still maintaining high standards of bilingualism.

Despite staff reductions, the Council actively offers bilingual service in person and by telephone, its signage is in both languages and it answers correspondence in the appropriate language. The most outstanding success story, however, is the manner in which it distributes its bulletin and publications: it updates a mailing list of 18,000 names, taking care to respect the language preference of recipients in its labelling and communications.

At the Council's quarterly meetings, agendas and minutes are produced in both languages and simultaneous interpretation is made available to members. The presence of bilingual scientists and reference works in both languages enable committees to do studies and other work in either language. The receptive bilingualism of participants means that meetings are often held in both languages. Central, personnel and supervisory services are bilingual, as are manuals and memoranda sent to all staff.

Nine of the Council's 29 employees are Francophone (31%), a representation considerably above the norm. Except for scientists, who come and go depending on the topics currently under study, staff turnover is light. The Council has difficulty attracting Francophone researchers and at present has only one. These imbalances were noted in our 1982 audit and still exist. Nevertheless, the Council assures us that it is maintaining its equitable representation goal for scientific personnel. Its recent staffing efforts at least allowed it to fill its two bilingual scientist positions with employees who meet the language requirements. We also noted that the incumbents of four other bilingual positions (out of 19) do not meet the requirements. The Council should correct this situation.

Council managers have a good understanding of their linguistic obligations regarding service to the public and to Council members, bilingual publications and employee rights. Rather than develop its own language policy, the Council adheres to those of the central agencies. The results indicate that this approach is satisfactory.

In 1987 we received only one complaint against the Council. It dealt with the language of work of a Council committee and equitable participation among scientists.

Secretary of State

In 1987 the Department of the Secretary of State maintained a good linguistic standard. Certain weaknesses still persist, however, and should be corrected without further delay. Language of work presents no problem, and efforts to increase Anglophone participation in Quebec showed some improvement in 1987.

The most visible and serious problem facing the Department has been the dearth of bilingual Citizenship Court judges. At present, only eight of the 35 judges are bilingual, a decline from the 11 of 37 in 1986. The Department has recognized the need to act, and is now making it possible for unilingual judges to take private French lessons. In addition, directives have been drafted — but not yet issued — which provide that, during citizenship ceremonies, unilingual judges be accompanied by a bilingual official, that candidates for citizenship be offered the choice of English or French for their interviews, and that the national anthem be sung in both languages. It is time these directives were put into effect and we intend to follow up on this matter in a 1988 audit.

Earlier this year, the Department proposed that linguistic requirements be incorporated into agreements with voluntary associations receiving Secretary of State grants or contributions. To date no action has been taken and the service these associations provide to minority language communities depends solely on their good will. In addition, the Department was remiss in not consistently carrying out its consultations with voluntary organizations across Canada in the official language of their choice. Similarly, given the responsibility of regional directors

to communicate with the minorities, we would expect their positions to be assigned a superior level of second-language proficiency. This is not the case in every region.

The Department is now revising its administrative procedures to ensure that collection agencies employed to recover student loans work in the language of the client's choice. However, the pace of change is inexplicably slow.

The Department's record on language of work is very good on all counts. An audio-visual presentation widely shown to managers and employees continues to be effective in making both groups more aware of their linguistic rights and obligations. The fact that practically all managers have attained the superior level of second-language proficiency means that employees are almost invariably supervised in their own language, meetings are conducted freely in English and French and central services are provided to employees in the language of their choice.

There has been little change in the participation rates of Anglophones and Francophones over the past year. If one excludes the Translation Operations Branch which, because of the nature of its work, contains a very high proportion of Francophones, Anglophones occupy 52.1% of positions compared to 54.5% in 1986, and are still under-represented in the Administrative Support (46.2%) and Management (58.8%) categories. In Quebec, where Anglophones have been in even shorter supply, some progress is at last visible: Anglophones now occupy 9.8% (7 of 72) of the positions outside the Translation Operations Branch, as compared to 5.6% in 1986. A special internal committee, established to address the participation issue in that province, has had some success recruiting Anglophones from outside the Public Service.

Official languages objectives are not integrated with operational plans, but a certain amount of accountability is maintained, notably through managers performance appraisals. Official languages performance is also measured through the Department's internal audit function. No action has been taken, however, to allay our concern last year that staff reductions in the Official Languages Section were limiting its effectiveness.

We received 22 complaints against the Department in 1987, an increase of six from 1986. All concerned aspects of service to the public. Four originated in Citizenship Courts, five were about unilingual English signage, six stemmed from documents circulated in English or in French only, one related to a unilingual French advertisement in a bilingual publication, and six were from members of the public unable to obtain service in French from clerks. At year's end, 12 of these complaints were still under review.

Senate

Establishing an adequate official languages program at the Senate has proven a laborious task indeed. The plan we have called for over the years was promised

for 1987, but has not yet emerged (even though preparatory work has been done). The program responsibilities of various Senate staff have not yet been clearly defined and the Senate is unable to establish with certainty how many of its employees are Anglophone and Francophone.

The Senate's record of service to the public is more positive. Visitors are welcomed and guided tours properly conducted in both languages. Senators receive bilingual services and, like witnesses, can use either language at committee meetings. The Senate Administration also acted quickly to correct a situation brought to our attention in this regard: on occasion, interpreters were not translating some interventions made in English. For the Senate as a whole, 62.1% of positions (247 of 398) are bilingual and slightly over three-quarters of these are occupied by bilingual personnel.

Little progress was made this year on the language-of-work front. Six of the eight complaints received against the Senate in 1987 dealt with this issue. Despite the high number of Francophones (over 40%) in the Administration, French plays a very limited role in supervision and meetings. Almost 40% of managers (21 out of 56) do not meet the language requirements of their position and, since three of the six senior executives have only a limited knowledge of French, the language is rarely used in senior echelons. The Administration will have to do a great deal more if it is to correct these long-standing weaknesses. Firmer directives will have to be given to managers and a more dynamic language training program established. By contrast, central services are generally provided in both languages and the bilingual capability of the Finance unit has improved. Training courses, including those on word processing, are offered in English and French.

The Senate estimates that 58% of its 398 employees are Anglophone and 42% Francophone. These figures are almost exactly the reverse of those provided in 1986 (62% Francophone and 38% Anglophone). When asked to explain this reversal, the Senate told us the information had not been updated in recent years but that, in 1987, a new criterion had been introduced; the language selected by the employee for communications with administrative services. However, this new approach is not fully reliable, and in our view the Senate should contact the employees themselves to determine their first official language.

The most serious weakness is still management of the official languages program. For several years we have been asking the Senate to develop an action plan and we trust the draft document developed in 1987 will be adopted quickly. Once the objectives have been established, the Senate will have to determine who is responsible for what and assign a manager to monitor implementation. What must be avoided at all costs is to have this long-awaited plan remain a paper exercise.

The Senate is also developing a policy on the staffing of bilingual positions. All positions filled by outside candidates would require knowledge of both languages upon appointment. The same principle would also apply to the staffing of some positions with personnel from within the Senate.

In 1987 we received eight complaints against the Senate, as compared to none in 1986. Three dealt with the poor quality of French in memoranda and internal directives, and two others with the fact that staff meetings were held in English only. Except for the matter of interpretation services mentioned above, the Senate tended in most instances to make excuses rather than take the necessary corrective action.

Statistics Canada

The official languages program had a good year at Statistics Canada in 1987. The organization has a strong bilingual capability and can therefore offer services in both languages just about anywhere in the country. However, despite a high Francophone participation rate, French is used very little as a language of work. The only areas where this is not the case are a few units in the National Capital Region and offices in Montreal and Sturgeon Falls, Ontario.

Over 50% of the organization's 4,567 employees are in bilingual positions and 85% of them meet the language requirements. As a consequence, service — either in person or in writing — is offered and delivered in both languages; signage is bilingual; and the minority press is used whenever information is issued to the public. It also has regular meetings with minority groups to ensure their needs are met.

If serious language-of-work problems remain, it is not because of a lack of effort. A text revision service was created to encourage employees to write in French and a program was launched to enable Anglophone employees to work in their second language and Francophones in their first. Workshops on the use of French as a language of work have been organized to discuss work-related matters and, in management committees, at least one topic on the agenda is discussed in French. Besides taking these initiatives, the organization has ensured that the usual language-of-work strategies are applied: headquarters communicates in both languages with bilingual regions; simultaneous interpretation is used in larger meetings involving both groups; all work documents are available in both languages; and central and personnel services are available in the language of the employee's choice.

Despite all these measures, French has not truly established itself as a language of work, one possible cause being that virtually all computer software used is in English. Since the work at Statistics Canada requires regular use of computers, this situation means that a significant number of employees is effectively prevented from working in French. Steps should be taken immediately to replace unilingual software whenever possible. The main obstacle, however, is the inadequate second-language proficiency of supervisors. In this respect, the intermediate second-language standard used throughout Statistics Canada is too low, particularly in areas where the work is complex. Progress will remain slow until the bilingual capability of supervisors is increased.

Of 4,567 employees, a high 36.8% is Francophone due to excessive representation in three categories: Administrative and Foreign Service (36.8% of 816 employees), Technical (36.2% of 790) and Administrative Support (42% of 1,979). In the Management and Scientific and Professional categories, on the other hand, the figures are an acceptable 24.1% of 83 and 26.1% of 862 respectively. Anglophones are under-represented in Quebec, where only three of the 54 employees are primarily English-speaking.

The management of the official languages program is dynamic. The linguistic situation is regularly audited but concrete results, particularly in language of work, are slow in coming. The Official Languages Division, located in Personnel, provides advice and guidance to management, and senior managers are responsible for language objectives in their areas of responsibility. However, more monitoring mechanisms are needed to ensure that managers are fully accountable for implementation of the program.

In 1987 we received 30 complaints against Statistics Canada, 12 referring to service to the public and 18 to language of work. Although this is considerably more than last year, most of the complaints did not indicate major systemic weaknesses, and co-operation in resolving them was generally good.

Supply and Services*

The Department of Supply and Services made some progress in 1987 but failed to correct a few long-standing and serious problems. Albeit with some weaknesses, particularly on the Supply side, the Department generally managed to serve its public adequately in both languages. The main problem area was language of work, and this despite high Francophone representation. Fortunately, the official languages program is managed with skill and vigour and has the full support of senior management. This augurs well for future corrective action on current weaknesses.

Service is generally available and actively offered in both languages. Of the 2,500 employees providing service to the public, 1,564 (62.6%) are in bilingual positions, and 87% of these meet the requirements. Signage is bilingual; letters are routinely answered in the language of the correspondent; and departmental publications are produced in both languages. But there is a fly in the ointment. As the government's purchasing agent, the Department deals with many suppliers of goods and services. In many cases, it does not respect the language preferences of these suppliers and in some instances makes no effort to find out what those preferences are. The Department should correct this serious anomaly without further delay. In addition, the problem of providing bilingual specifications for goods and services is still unresolved. Supply and Services and the Treasury Board Secretariat are still trying to determine whose responsibility it is to ensure that departments provide such specifications in both languages. A decision on the issue should be taken without delay to give Anglophone and Francophone suppliers equal opportunity in the contracting process.

The Department still has a language-of-work problem, but not for want of efforts to correct it. It undertook a systematic review of all the contributing factors — work documents, memoranda to employees, meetings, supervision and so on — with a view to taking corrective action. The review was given high priority, and quarterly reports were delivered to the Senior Management committee. This exercise is still incomplete, but positive measures have already been taken. All supervisory positions now require either the intermediate or superior level of language proficiency. A control system is in place to inform assistant deputy ministers if unilingual documents are distributed to employees. A similar system to spot unilingual English documents sent to offices in Quebec helped reduce the number of errors from 122 in 1986 to 32 in 1987. A persistent problem appears to be the number of supervisors in bilingual positions who do not meet the language requirements of their positions (approximately 18%).

The high overall Francophone participation (40% of 9,381 employees) is due to the heavy concentration of Francophones in support positions. Low Anglophone representation in Quebec is also a contributing factor. The Department has been examining this issue for some time but has not come up with an effective solution.

The Department has done much to establish an active official languages program, its single most important action being to the direct and effective involvement of senior management.

We received 25 complaints against the Department in 1987, compared to 29 in 1986. Nineteen dealt with service to the public and six with language of work. Issues included the lack of bilingual telephone service, advertisements that did not appear in the minority media and various documents unavailable in both languages. Language-of-work complaints were generally about communications distributed in English only. The Department was co-operative in handling these complaints.

Transport

Although the Department of Transport made some progress in 1987, particularly in airport signage, it continued to experience the same language problems as in the past. In general, the linguistic quality of services to the public improved little, and problems in language of work and participation persist. The Department must actively promote its official languages program and give it greater priority if it intends one day to correct the situation.

The Department's most obvious weaknesses in serving the public have always been signage and services provided by airport concessionaires. In 1987 Transport Canada undertook to correct the signage problem in major airports by making regular checks of its bilingual presentation and linguistic quality. It produced a signage glossary for its airport management group, and offers telephone consultation service to help airport managers meet specific terminology

requirements. However, it has not solved the problems of lack of bilingual services by airport concessionaires and will have to find a way of ensuring they comply with the language clause contained in leases.

The situation regarding in-flight safety announcements by airlines flying in Canadian air space remains unchanged and we continue to receive a large number of complaints about this matter. It is time the Department ensured that safety standards apply equally to English- and French-speaking passengers by making bilingual in-flight safety announcements mandatory once and for all.

We are pleased to note that implementation of the plan to bilingualize air traffic control at Ottawa International Airport is under way. In early October bilingual flight information services were introduced in the National Capital Region.

Our periodic investigations at departmental headquarters revealed that bilingual telephone reception service is provided in 75% of cases. These results are encouraging, but the fact that one in four clients in the National Capital Region is not actively offered service in his or her preferred language is still unacceptable. The Department has some way to go before it can at all times offer fully bilingual service to the public, and we urge it to act quickly in this regard. In particular, it should raise the language requirements of its bilingual positions, too many of which (536 out of 4,431) call for only the lowest level of second-language proficiency.

Despite a number of sound initiatives, progress on the language-of-work front was imperceptible. In 1987 the Department published a regular information bulletin for managers and employees on various aspects of the language program. It took steps to ensure that documents intended for Quebec contained top quality French texts and seriously studied ways to increase the use of French in the work place. That is all well and good, but the results of these measures have yet to be seen. It is still very difficult for Francophones at headquarters to participate in meetings and to obtain performance appraisals in their preferred official language. French is under-used in all bilingual regions except Quebec, and headquarters communicates only rarely with those regions in both languages. Major manuals and circulars are generally available in both languages, but slip-ups still occur. Lastly, software used by the Department is in English only. In short, many issues must be resolved before French can truly be used as a language of work.

The overall participation of the two language groups is very similar to that in 1986: the same strengths and weaknesses remain. Nationally, Francophones are slightly under-represented (22.7%), and Anglophone participation in Quebec is still unsatisfactory (6.8%). Only 90 of 6,758 employees in Western Canada and Newfoundland are Francophone, and Francophones account for only 16.9% of the Management category in the Department as a whole.

The official languages program is managed by some 15 full-time employees at headquarters, as well as by one part-time co-ordinator in each region for the two

major administrations (Marine and Air) and a language training co-ordinator in Moncton. Most co-ordinators are perfectly bilingual, but their positions require only intermediate second-language skills. Official languages objectives have been integrated in operational plans and are the responsibility of senior managers. The Department also carries out various surveys and audits in an effort to achieve equality of status for English and French. The program nevertheless suffers from a lack of visibility, and middle managers frequently launch projects with language implications without consulting official languages officers.

Of the 84 complaints received against Transport Canada (43 more than in 1986), 74 concerned language of service. Twenty-two dealt with airline services, 13 with lack of announcements in the minority press, 12 with signage and the remainder with other service issues. We also received nine complaints about language of work and one about equitable participation.

Treasury Board

The Treasury Board Secretariat continued to improve its linguistic performance in 1987, particularly with respect to language of work, and to offer quality bilingual service actively. However, it has not yet corrected its sectoral imbalances in the participation of the two language groups.

The Secretariat offers its services spontaneously in both languages, and its signage and telephone reception are fully bilingual. It has a solid bilingual capacity: 81% of its positions require knowledge of both languages, compared to 77.5% last year, and 90% of incumbents still meet the language requirements of their positions. In addition, the number of bilingual positions requiring superior language skills rose from 60 to 101. There was one weakness, however: Great-West Life Assurance, which the Secretariat selected to administer its new dental insurance plan, is unable always to offer bilingual service.

The Secretariat continues to encourage an equitable use of both languages in its internal operations. It is currently conducting a language-of-work survey to detect any persistent weaknesses in this area. It has also begun to upgrade the language requirements of its positions to take into account its staff's supervisory needs. This process will be completed in early 1988. At present, 140 of 161 supervisors (87%), meet the language requirements of their positions. The Management committee, nine of whose members are fluently bilingual, has set the example by holding its meetings in both languages.

The weaknesses observed last year with respect to circulars and memoranda have been corrected and these documents are now distributed in both languages. Computer operations are in English and French, except for the financial systems, which are not yet completely bilingual. Employees have access to central and personnel services in the language of their choice. Nearly two-thirds of administrative positions (50 of 78) are bilingual, and all incumbents meet the language requirements. It is curious, however that only one of the 50 positions requires superior language skills.

The Secretariat has 736 employees, 259 of whom are Francophone (35.2%), and 477 Anglophone (64.8%). Only four of the 32 employees in the Scientific and Professional category are Francophone (12.5%), a figure that is far too low. Francophones are also under-represented in Management (21%), where the Secretariat's objective is 26%. Anglophones are still poorly represented in Administrative Support (44%), and each branch is reminded of that fact in a quarterly report.

Senior management has always attached importance to official languages. Managers are required to set objectives, and these are taken into account in their annual performance appraisals. In mid-1987 the Official Languages Branch prepared a report on the overall language situation. In short, the program is well managed.

We received four complaints against the Secretariat in 1987, compared to eight last year. Three concerned the unilingual English services provided by Great-West Life.

Via Rail

Via Rail took a major step in 1987 by at last making progress on the language clauses in collective agreements. The Corporation also continued implementing its programs on official languages.

On August 13, 1987, Via Rail reached an agreement with the Canadian Brotherhood of Railway, Transport and General Workers enabling it henceforth to assign bilingual employees to positions requiring contact with the public in train stations, at telephone sales offices and in restaurant services on trains. Under the language provisions of the collective agreement, Via, together with union representatives, will determine which positions will be filled by bilingual employees as they become vacant. These new measures suggest a major improvement in bilingual service on trains in the near future, particularly since positions in food services are open and staffed at least once a year.

The Corporation is nevertheless still restricted to some degree in the way it assigns bilingual staff to ticket checks and announcements on trains. This year, Via added a number of employees who had occupied conductor, brakeman and engineer positions on CN trains. However, the collective agreement of those employees still contains clauses that restrict the assignment of duties. In addition, crews on a number of routes still report to Canadian Pacific.

For the time being, passengers may expect service of comparable quality in English and French in Quebec and the National Capital Region only. We hope that the new measures adopted by Via (particularly concerning collective agreements) will in future enable the Corporation to provide bilingual service wherever there is significant demand.

As in the past, Via Rail discharged its linguistic obligations properly with regard to public documents, signage and correspondence. Customers are greeted and served in both languages at telephone information and reservation centres.

The Corporation also maintained its good language-of-work habits: circulars, forms, manuals, internal training courses and multi-user computer systems are generally available in both languages. Via also planned an information program for managers and employees to promote a greater use of French in the work place (meetings, writing, discussions, performance appraisals, etc.), both at its Montreal headquarters and at Via Atlantic. French is already the principal language of work at Via Quebec.

Excluding train crews from CN, Via Rail has 5,493 employees, 2,043 of whom are Francophone (37.2%). The reason for this increase of slightly more than four percentage points over last year is the transfer of CN maintenance employees, 592 of whom are Francophone, to Via.

On the whole, Anglophone-Francophone participation is acceptable in most employment categories if one recognizes the fact that, with the exception of unionized staff, the great majority of employees work in Quebec, either at headquarters or at Via Quebec. Francophones represent 25% of senior executives, 32.7% of senior managers, 41.8% of middle managers, 51.2% of Administrative Support staff and 27.8% of unionized out-front employees. There are no Francophones, however, among the 10 senior managers of Via Atlantic and only three among the 98 managers of Via Ontario.

In the regions, there are 41 Francophones with Via West (3.9%), 134 with Via Atlantic (31.3%) and only 62 with Via Ontario (4.5%). In Quebec (Via Quebec and headquarters), the Corporation employs 839 Anglophones (31.7% of staff).

The objectives of the official languages program are integrated in the Corporation's operational plans. Via requires its managers and supervisors to conduct regular checks on service — including linguistic aspects — provided in stations and on trains.

We received 38 complaints against Via Rail, compared to 36 last year. Most concerned lack of service in French: 19 in stations and eight on trains, including two on the Montreal-Toronto run. The Corporation's co-operation enabled us to reach a quick settlement of complaints concerning material matters. Those concerning personal service on trains and in stations require longer-term solutions.

PART IV

The Minorities: Step Up the Action

Minority News: No Time to Lose

In the words of the proposed new Official Languages Act (Bill C-72), this chapter reports on measures "enhancing the vitality [of the] English and French linguistic minority communities in Canada". An initial section discusses concerns common to all the minorities: introduction of Bill C-72 in the House of Commons, the Meech Lake accord, work of the minority associations on the national scene and activities of the Commissioner of Official Languages. The following section presents province-by-province highlights of legal, educational, institutional and community developments and a review of the year's events in minority official language broadcasting. Larger demolinguistic questions and legal decisions of national importance are analysed in Part I and information on second-language teaching and post-secondary education is provided in Part V.

Nineteen eighty-seven was a remarkable year for Canada's official language minorities. It was dominated at the political level by several events which could have lasting effects on their lives. At the international level, the Francophone Summit in Quebec City officially recognized the significance of the Francophone communities outside Quebec. The Meech Lake accord and Bill C-72 again affirmed a constitutional, legal and practical commitment to respecting the "fundamental characteristic" of language duality across Canada. While the language and cultural guarantees in the Constitution and the Bill have the qualities of an architectural design, both will call for careful interpretation to determine what they can or cannot do for the minorities once the new Act is adopted. The critical question must be whether the minority communities are in better shape in 1987 than they were some years back. Paradoxically, they seem both better and worse off. They are better off because the constitutional, legal and administrative infrastructure is generally much more complete. The minority groups have become much better organized over the past decade, and the general climate of opinion and the attitudes of members of the majority communities are on the whole more favourable. But they are less well off in other ways, with successive censuses reporting a seemingly inexorable erosion of their numbers (see Part I).

Bill C-72

At a press conference to outline the content of the proposed new Official Languages Act, the Minister of Justice, the Honourable Ray Hnatyshyn, declared that Bill

C-72 constituted "a comprehensive, fair and modern framework for Canada's present and future official languages policy." Although the Bill was a long time coming, the timing of its introduction could not have been better. The Prime Minister and the premiers had just signed the Meech Lake accord which, among other things, promises that provincial legislatures will preserve (or *protect* as the French version has it) the official languages minorities. The latter could therefore be forgiven for believing that they were at last being presented with the blueprint for action on renewed language reform they and we had been calling for. They also grew more than a little frustrated at the long delays in moving the Bill through Parliament.

In terms of federal commitment to the minorities, the preamble to Bill C-72 has a "promotional" edge that is manifestly lacking in the Meech Lake accord. It states categorically that the federal government is to provide the leadership needed to ensure that the recognition which all minority communities in Canada hunger for — in education, the courts, and in government and other services — is finally granted and, to the extent the government of Canada can influence the situation, made concrete.

Education rights

The need for positive action is most evident in the field of education. Without effective minority language schooling, minority communities have no base and parents are deprived of the opportunity to transmit their own linguistic and cultural values to their children. In signing the Canadian Charter of Rights and Freedoms, the provinces were presumably conscious of this fact: they had finally and officially broken new ground in the field of language rights by guaranteeing the right of the official language minorities to schooling in their language and appropriate control of their schools, where numbers warrant. Yet, six years later, minority parents and associations in many provinces are still before the courts pleading for what most Canadian parents take for granted. This is not a reassuring or indeed a particularly honourable state of affairs.

Although modest progress was achieved in several provinces in 1987, there has been a strange shortage of will, imagination and urgency when it comes to responding to the educational needs of the minorities. There have been few concerted efforts to develop "how-to-do-it" solutions for minority schooling. Except in New Brunswick and to a lesser extent Ontario, minority French school boards are virtually unknown and homogeneous French schools for minority children few. Anglophones in Quebec are also experiencing more and more difficulties placing their children in schools that are effectively under minority control. Fortunately, the government of Quebec is committed to continuing efforts to establish a school system along linguistic lines which would alleviate some of the present problems.

Some parents have sought to force school boards and provincial governments to provide schooling for their children in their first official language through action in the courts (several such cases are described below and others in Part I). In

this regard, the Canadian Council on Social Development has rendered valuable service by administering the funds of the federal Court Challenges Program and providing assistance for court challenges involving minority schools. A report by a Council committee, chaired by Dr. Victor Goldbloom, presents arguments for a broad interpretation of Section 23 of the Charter relating to minority language educational rights. The report opposes any arbitrary application of a requirement for a minimum number of children for the establishment of a minority language school without due regard for the particular aspects of each case.

Our Office, in co-operation with minority groups, has been trying to assemble the kinds of information that would help both parents and provincial authorities to break the stalemate in developing credible and attractive minority schooling in accordance with the Charter. At a national colloquium in November on the implementation of Section 23 of the Charter, the Commission nationale des parents francophones provided an overview of the present status of research on school governance for Francophones in minority situations. It indicated that, in many provinces, significant numbers of English-language primary and secondary schools had fewer than 30 students. Yet when it came to providing schools for Francophone children, larger numbers were often judged to be insufficient to warrant provincial action. We hope minority groups in a number of provinces will soon be able to sit down with local school boards and provincial officials to look at realistic and workable plans to ensure full compliance with Section 23.

The Department of the Secretary of State last year contributed almost $128 million to the support of minority language education. The present federal-provincial agreements to promote official languages in education will expire in March 1988. In renegotiating these agreements the federal government has an opportunity to give the implementation of Section 23 the administrative fillip it desperately needs. Unless the Secretary of State's Department can earmark some new money for developing a more satisfactory infrastructure and bring the provinces to agree on new priorities for quality minority language education, it will bear a large share of the responsibility for future slippage in achieving one of our most crucial national goals.

Signs of progress

Minority language education is obviously critical to any plan for maintaining the minorities, but it is not the only component. It also matters a lot — at least in terms of motivation — how the minority language, English or French, is treated by other local institutions and the community in general. There are some important signs of progress here and promises of better things to come. Several are described later in this chapter, but the following developments are worth highlighting now:

- A general improvement in public attitudes toward the minorities, particularly among opinion leaders. We were struck by the favourable editorials on language issues during the Piquette affair in Alberta and during the Ontario and New Brunswick elections. Although there were discordant notes, these reactions, coupled with the findings of opinion polls, lead us to believe

there is growing support for provision of a range of services in the appropriate minority language, not only by the federal, provincial and municipal governments, but by the private and voluntary sectors as well.

- A greater openness among provincial leaders toward finding pragmatic solutions to minority language education problems. While these initiatives sometimes consisted of modest proposals for amendments to existing education legislation, there were also some concerted efforts to create at least a few new classes and new schools. One of the most promising developments was the building of a small number of school-cum-community centres to answer a variety of minority needs, while providing a focal point for the social and cultural activities of the communities concerned.

- Growing awareness of the need to provide provincial services in the minority language. The examples of Ontario with its French Language Services Act and Quebec with its Bill 142 on health and social services in English are the best known, but there has been some welcome movement in Prince Edward Island, Nova Scotia and Manitoba as well.

- Implementation in 1987 of Part XIV(1) of the Criminal Code — which guarantees an accused the right to be heard by a judge and jury speaking his or her language — has taken place in Saskatchewan, Nova Scotia and Prince Edward Island, and there have been signs of a possible breakthrough in Alberta as well. Part XIV(1) is now officially in effect in seven provinces.

We hope we have correctly sensed a significant shift in attitudes, a desire to strike a new deal for both English- and French-speaking minorities. It is now up to the federal government in co-operation with its provincial and private-sector partners to build on this foundation. It is time to start working on a new, coherent official languages policy that will not only ensure full recognition of old and new constitutional language rights, but will also provide the cultural incentives and meaningful services to minority communities that can enhance their ability to cherish and transmit their linguistic identity.

Federal-provincial co-operation

We were pleased that the government of Canada this year signed the first comprehensive agreement on official languages with a province. The agreement with New Brunswick aims "to advance the equality of status and use of both official languages in that province by establishing a framework and procedures for co-operation... with respect to consultation, co-ordination, joint planning and the identification and implementation of measures to this end." This is a promising initiative in federal-provincial co-operation and should do much to facilitate steady progress in language reform.

The decision of the Secretary of State's Department to provide $5.6 million over five years to support community radio stations for Francophones outside Quebec is also a praiseworthy achievement. It is discussed in more detail in the next chapter.

FFHQ The Fédération des Francophones hors Québec (FFHQ) had a heavy caseload in 1987. When Yvon Fontaine, Dean of Law at the Université de Moncton, was named president of the Fédération in January, he identified four main goals: a new Official Languages Act; successful constitutional negotiations between Quebec, Ottawa and the other provinces; participation at the Francophone Summit; and the strengthening of ties with provincial member associations.

The FFHQ emphasised the need to accord primacy to a new Act over other legislation and to renew the federal commitment to the preservation and promotion of the linguistic and cultural heritage of minority official language communities. When the text of Bill C-72 was tabled, many FFHQ members were pleased to note that it had taken account of their suggestions. There was still some dissatisfaction about the absence of "teeth", the means to make language equality more rigorously enforceable. The FFHQ had misgivings about the failure to apply more compelling rules to the private sector and questions about requirements for translating federal-provincial agreements. Questions remained too about the regulatory definition of "significant demand" and the "active offer" of service in the appropriate language. The Fédération will, however, be consulted on these matters before any regulations under the Act become final.

The FFHQ reserved more acerbic comments for the Meech Lake accord. Noting that the accord calls on Parliament and the provincial legislatures merely to "preserve" the existence of French-speaking Canadians outside Quebec and English-speakers in Quebec as a "fundamental characteristic" of Canada, the FFHQ called this provision weak and inadequate. It argued that the accord was a Quebec-Canada agreement, a "reconciliation of the majorities, not the minorities", that gave little protection to Francophones outside Quebec. It reiterated these views to the Special Joint Committee on the Constitutional Accord.

In June the FFHQ for the first time held its annual convention in Quebec City. The meeting was part of a gathering of French-speaking people from across North America (the X^{e} Rassemblement des francophones d'Amérique), but it also signaled the Fédération's sense of solidarity with the larger world of *la Francophonie*, which the Quebec Summit further reinforced in September.

Alliance Québec Besides pursuing its now well-established campaign on behalf of Anglophone rights and institutions, Alliance Québec also took up a number of concerns related to the Meech Lake accord and Bill C-72. In its brief to the Special Joint Committee on the Constitutional Accord, the Alliance expressed particular misgivings about the implications of recognizing Quebec as a "distinct society". It wondered whether the promotion of this distinctiveness in the interests of the Francophone majority might allow the provincial government to override the fundamental rights of non-Francophones. The Alliance affirmed its belief that "the French language, and all that is distinct about Quebec, can be protected and promoted without negating individual rights." When it appeared before the Senate Committee of the Whole considering the Constitutional Accord, Alliance Québec stated that

it did not seek "to jeopardize the accord, only to improve it." It argued that the central issue in the constitutional debate was the Accord's potential diminishing of the rights and freedoms already guaranteed by the Charter of Rights and Freedoms. Alliance Québec would like to see the rights of English-speaking Quebecers explicitly guaranteed in the Accord.

Bill C-72 drew praise and support from Alliance Québec. Its new president, Royal Orr, found the draft legislation to be "based on a vision of Canada that recognizes our linguistic duality and the presence of French-speaking and English-speaking minorities throughout the country." But the Alliance would have liked the Bill to go further in ensuring minority language services to minority communities. True to its tradition of intervening to defend Francophone minority rights, Alliance Québec also addressed a public letter to the premier of Alberta about the Piquette affair, calling upon him to take steps to ensure that French can be used freely in the provincial legislature.

Canadian Parents for French

Canadian Parents for French (CPF) has long supported young Francophones outside Quebec in their struggle to receive education in their language. When its president, Dr. Susan Purdy, appeared before the Special Joint Committee on the Constitutional Accord, she argued that in most Anglophone provinces "there are insufficient schools in which young Francophones can receive education in their own language. In some communities this results in a necessity to share a school with Anglophones, a situation generally unacceptable for pedagogical reasons to either Francophones or Anglophones." CPF also recommended that the Accord require the provinces to do more than merely preserve the linguistic character of Canada: "All Canadian young people [should] have the opportunity to become bilingual in French and English if they wish to do so, or to acquire as much fluency in the other official language as they wish." Local CPF chapters have continued to work closely with Francophone minority associations in achieving these objectives.

The Commissioner's work

It has become a useful tradition for the Commissioner of Official Languages to meet with opinion leaders, politicians, educators and members of minority groups across Canada. In 1987 he visited nine of the ten provinces. These visits serve several purposes, two major ones being to show support for minority groups in their quest for provincial recognition and services and to hold discussions with provincial leaders and officials on the progress made in this regard and in teaching English or French as a mother tongue or as a second language. Such trips also afford the Commissioner an opportunity to review with federal managers the best ways of ensuring bilingual service, to brief editorial boards and to answer questions from journalists and the public on the progress of language reform. The visits also give additional support to the essential day-to-day work of our regional staff. The Commissioner was pleased to announce the appointment this year of six part-time liaison officers to assist regional staff in covering regions or provinces where his Office was not adequately represented (British Columbia, northern Saskatchewan, Quebec City and the Gaspé Peninsula, Nova Scotia, Prince Edward

Island and Newfoundland.) A fuller outline of the activities of the Commissioner and his office appears in Appendix A.

The West

Although the 179,000 Canadians of French mother tongue in the West constitute almost 20% of all Francophones outside Quebec, they make up only 2.4% of the total population of that region. Their relative weight no doubt accounts for some of the special difficulties they face and for the sharp debates which sometimes surround the issue of official bilingualism in the West. The year witnessed a number of unfortunate confrontations over demands for French language schools, legal battles over the right of accused persons to trials in the official language of their choice and controversy surrounding the status and use of French in provincial legislatures. But there were signs of progress. As Alberta MLA Léo Piquette observed, informed opinion appears to be shifting in favour of the rights of the minority official language community, and French rights are gradually being recognized and given positive effect.

There have been complaints that **Manitoba** is slow to apply the Supreme Court's order to have its laws translated, but the Attorney General of the province announced that the 1990 deadline would be met. Meanwhile, Environment Minister Gérard Lecuyer was named chairman of a cabinet committee on French-language services and, as of July, 20 of the 25 provincial government departments had prepared improvement plans and about 700 major provincial forms had been translated. This, however, did not alter the fact that Mr. Lecuyer was unable to make more than a few remarks in French in the legislature before opposition members protested that there was no interpreter present. Even though the legislature is constitutionally required to use either English or French, Francophone MLAs intending to speak French are at present required to give advance notice to allow for translation arrangements.

The government of Manitoba actively responded to a challenge by Francophone parents seeking the establishment of a separate Francophone school board. Parent associations and the provincial government are working on the questions that should be put to the Manitoba Court of Appeal concerning the extent to which the School Act complies with Section 23 of the Charter of Rights and Freedoms.

Collège universitaire de Saint-Boniface

The Collège universitaire de Saint-Boniface continues to be a focal point for post-secondary instruction for Francophones in the province and more recently for some bilingual English-speaking students as well. In the past six years the Collège has doubled its enrolment in regular courses and has increased enrolment in extension courses fourfold. Enrolment figures for Francophone high school graduates are greater than the provincial or national averages. The Collège will soon establish a four-year science program as well as a program in co-operative studies in collaboration with the local "caisses populaires" movement. It continues nevertheless to experience serious financial problems. It cannot meet all the needs

of the community it serves and its regional role in the Prairies has yet to be defined, funded and established.

Société franco-manitobaine

The Société franco-manitobaine (SFM) announced that it will organize a major community gathering or "États-généraux" next year to bring new hope and purpose to the Francophone communities of the province. An SFM Committee of Inquiry chaired by Mr. Justice Michel Monnin began hearings in September in several localities to prepare the États-généraux. Among the points raised at the Committee's first hearings in Ste. Anne and St. Vital was the need for a more autonomous school system and better French-language services at all levels of government.

Working with the Commissioner's regional office, SFM representatives met with several federal departments and agencies to encourage them to seek ways of actively offering bilingual services.

On July 29 the SFM was visited by Quebec Premier Robert Bourassa, who wanted to learn first hand about the state of the French language in Manitoba. He promised further assistance from Quebec for Franco-Manitobans in the form of community development programs. The SFM also learned that the Standing Joint Committee on Official Languages had accepted an invitation to be represented at the États-généraux in March 1988.

Many Franco-Manitobains were upset early in the year when the City of Winnipeg decided to combine the Coronation Park Public Library's English collection with that of the French collection of the St. Boniface Library. They feared that the new St. Boniface Library would lose its French character in the process. The City eventually decided that the combined library would incorporate the English Coronation Park collection but make a special effort to maintain the high level of service in French. In another development, a number of Francophone local government reeves and councillors established an "Association des élus municipaux francophones" to review the need for bilingual services from municipalities and make recommendations for improvements. These are expected by 1988.

May 28, 1987, marked the first visit of a president of France to **Saskatchewan.** President François Mitterrand met in Regina with provincial officials and representatives of official-language minority groups. He indicated that France was interested in promoting cultural exchanges with Saskatchewan.

At Duck Lake, the Association culturelle franco-canadienne (ACFC) this year celebrated its 75th anniversary. Celebrations were also held in Prud'homme and Saskatoon. Formed largely to oversee the creation of French-language schools, ACFC was instrumental in setting up a Bureau de la minorité de langue officielle within the Department of Education and continues to play an active role in defending minority education rights.

At their general meeting, Premier Devine told ACFC members that he planned to reactivate an interdepartmental committee to develop an inventory of provincial

services offered in French, evaluate needs and recommend a strategy for improvements. The federal Minister of Justice spoke of the prospects afforded by a new Official Languages Act and of the implementation in Saskatchewan of Part XIV(1) of the Criminal Code.

Prompted by ACFC, a coalition of Francophone groups asked the Court of Queen's Bench to declare that Francophone parents must have appropriate managerial control over the schools their children attend. The coalition argued that the Education Act does not respect Section 23 of the Charter of Rights and Freedoms and that the existing mixed school system is largely responsible for the high rate of assimilation of the Francophone minority. No decision has yet been handed down.

French in criminal trials

Last June also saw the province's first French-language murder trial in Regina. Another criminal trial in French on lesser charges had taken place in Gravelbourg at the end of 1986. The government formally announced that, as of September, Part XIV(1) of the Criminal Code would come into effect. It will make it possible to conduct criminal trials in either English or French.

An important decision in a related reference case was handed down in July. Mr. Justice Cameron, writing for the majority in the Court of Appeal, stated that the North-West Territories Act, 1891, and the Saskatchewan Act allow for the use of French in criminal trials in the province, that Saskatchewan has the linguistic resources to conduct French-language trials and that continued delay in implementing Part XIV(1) of the Criminal Code could lead to an infringement of an accused's rights under Section 15 of the Charter. This ruling is analysed in greater detail in Part I.

Although a well-known test case initiated in 1981 by the late Father André Mercure to determine whether Section 110 of the North-West Territories Act was still in effect in Saskatchewan was argued before the Supreme Court in November 1986, no decision has yet been rendered. At issue was the validity of provisions relating to the use of English and French in the legislature and the courts of the province.

Leaders of the Fransaskois community met during the year with federal Communications Minister Flora MacDonald and CBC President Pierre Juneau to plead the cause of French radio and television in the province. In particular, they argued for more local CBC programming and for the extension west of Manitoba of the TV5 French television system.

In **Alberta**, two language issues shared the headlines. The first concerned the broadcasting of the 1988 Winter Olympics Games in French as well as English across Canada (see following chapter). The second involved Léo Piquette, a French-speaking member of the legislature. On April 7 Mr. Piquette tried to put a question in French in the legislature to the bilingual Minister of Education but was prevented by the Speaker because he had not given advance notice. The matter was referred to the Standing Committee on Privileges and Elections.

The controversy took on an added dimension when the *Edmonton Journal* described the Speaker's ruling as a "terrible error in judgment" and maintained that MLAs are entitled to speak in the official language of their choice in the legislature. The Speaker responded by warning the newspaper that it could be cited for contempt. The debate spilled over into the federal arena when Prime Minister Mulroney expressed support for the cause of French in the legislature and raised the issue with Premier Getty. The Commissioner expressed dismay that one of Canada's two official languages had not been accorded the status it deserved.

After hearing testimony from several experts, the majority of whom were of the view that the North-West Territories Act and the Alberta Act authorize the use of French in the legislature, the Committee on Privileges and Elections recommended that Mr. Piquette apologize to the Speaker. The Committee went on to recommend that any member wishing to use any language other than English should in future advise the Speaker two hours in advance and provide an English translation of any question or speech. At year's end the legislature decided to accept the recommendations of the Committee. On December 1 minority community representatives and members of a dynamic youth group, Francophonie Jeunesse de l'Alberta, gathered in front of the legislature to express their support for Mr. Piquette. While Mr. Piquette did not apologize for speaking French, he did indicate that he had not intended to give offense to the Speaker by his actions. The Speaker accepted Mr. Piquette's explanation.

Progress in the courts has been more rapid. In the wake of Mr. Justice Sinclair's 1985 ruling in the Court of Queen's Bench, which reaffirmed the right under Section 110 of the North-West Territories Act of an accused person to use English or French before a court of criminal jurisdiction in Alberta, judicial proceedings opened in Calgary in September before a French-speaking judge and jury in the trial of five Francophones. That same month, the Alberta Court of Appeal rendered a majority ruling confirming that Section 110 is still in force and that an accused may use either English or French before a criminal court in Alberta. At the end of the year, however, the Alberta Court of Appeal rendered a majority ruling to the effect that the equality rights provisions of the Charter (Section 15) could not be invoked to obtain a trial before a judge or a judge and jury who spoke French, since Part XIV(1) of the Criminal Code has not been proclaimed in Alberta.

Minority education rights

The Association des parents francophones de l'école Georges-et-Julia-Bugnet in Edmonton won some ground and lost some in its legal battles with the government of Alberta. Mr. Justice Purvis in the Court of Queen's Bench had ruled in 1985 that there were enough Francophone students in Edmonton to warrant publicly funded French-language instruction in accordance with Section 23 of the Charter of Rights and Freedoms, but he stopped short of declaring that an autonomous French-language school system was justified. This year, in an appeal decision generally seen as unfavourable to the Francophone community,

Mr. Justice Kerans stated on behalf of the Alberta Court of Appeal that, while Section 23 does indeed give a minority official language community the right to both minority language instruction at public expense and control of its own school system where numbers warrant, it was not evident that such numbers existed in Edmonton. The Association has been granted leave to have its case heard before the Supreme Court of Canada (see Part I). The Commissioner, who had intervened before the Court in the Bugnet case, met with ministers of the Alberta government and with minority groups to express his support for autonomous French schools.

While Francophone children apparently have the right to classes in French, they continue in most cases to find themselves in English schools. Two exceptions are the École Maurice Lavallée in Edmonton and the École Ste-Anne in Calgary, both of which are French-language primary schools. In several locations Francophones are in French immersion classes, though these are designed for Anglophone students learning a second language and not for students whose mother tongue is French. Further legal challenges to the present school system are anticipated in Alberta. For example, a group of Francophone parents in the St. Paul area has filed a claim against local school authorities before the Court of Queen's Bench. The parents argue that they are entitled to full powers of management over instruction programs and educational facilities for their children.

While Alberta's proposed Bill 59 on education does recognize the rights of the minority to French-language instruction, it is silent about measures to allow Francophones to manage their own schools. Late in the year the Edmonton Catholic School Board trustees produced a plan that would give Francophone parents control over the management of the district's Francophone schools. The Commissioner commented that this initiative was a step in the right direction, even if it did not go far enough. In December the Edmonton Catholic School Board abandoned its proposal in light of opposition expressed by Francophone parents.

Faculté Saint-Jean

In September the Commissioner visited the Faculté Saint-Jean of the University of Alberta in Edmonton and met with members of the Francophone community. The Faculté has grown rapidly; it had 506 students at the beginning of the 1987-88 academic year, up 22% from last year. An additional 3,021 persons were also taking courses through the Faculté's outreach program; they included Francophones and Francophiles in Alberta, Saskatchewan and the Northwest Territories. However, because the need for French-language post-secondary education in the region continue to outstrip capacity, the Faculté has developed a five-year expansion plan. Elements include professional development for teachers in French as a first language and immersion education, as well as more diversified courses in liberal arts and sciences. (For more information on post-secondary opportunities in French, see Part V).

Association canadienne-française de l'Alberta

The Association canadienne-française de l'Alberta (ACFA) undertook a number of community development projects during the year: it organized a lottery to finance court cases on education rights; formed a group to promote bilingualism at the Olympic Games (Contact-Calgary); completed a survey of cultural and

educational needs in Fort McMurray; and encouraged the establishment of Francophone cultural centres in several locations. ACFA also sent a protest to the federal government; although some aspects of the Caplan-Sauvageau Report on Broadcasting were to be implemented, the CBC's local French programming may be reduced. The Francophone community has also begun a campaign to encourage Franco-Albertans to request government services in French.

This year the Fédération des Franco-Colombiens (FFC) called on the **British Columbia** government to establish a French-language school board for the province's 45,000 Francophones. The Commissioner expressed support for the FFC when he met the Minister of Education, in May. While British Columbia has not yet acceded to this particular request, it did publish a comprehensive new policy on the "Programme cadre de français". This guarantees Francophone children a complete curriculum in French from kindergarten to grade twelve. Funding for the Programme cadre will be incorporated into each school district's regular budget. The policy stipulates that for a French program to be established in a school district, there must be at least 10 pupils in an elementary school and 15 in a secondary school. A new French-language school, l'École Larson-Annexe, opened in North Vancouver, the third in the province.

The FFC also pressed the province to implement Part XIV(1) of the Criminal Code to allow for criminal trials in French, but at this writing there had been no change. Although the use of French in the courts is still problematical, this does not appear to be the case in the legislature. In June French was used without controversy in the legislature during a discussion of the need for better French teaching in schools.

The annual general meeting of the Association culturelle Franco-TéNOise (ACFT) took place in Yellowknife last March. It allowed the various Francophone associations in the **Northwest Territories** to co-ordinate and plan their activities. Later in the year, at Iqaluit, local authorities agreed to requests from Francophone parents for French-language instruction and made arrangements to hire two teachers. ACFT contributed to a major study of the government's French-language services that will no doubt lead to improvements. It also asked the CBC to extend its French-language network to Yellowknife and other centres in the Territories. At present very few communities can receive programs in French, and even then only at their own initiative and expense.

Supported by the Canadian Council on Social Development, a **Yukon** resident, Daniel St-Jean, gave notice that he will take his traffic violation case to the Court of Appeal. His case centres on whether the Yukon government is an institution of the Parliament of Canada and, as such, subject to the Official Languages Act as well as the language provisions of the Charter of Rights and Freedoms. Mr. Justice Meyer of the Territorial Supreme Court decided in 1986 that it is not. The Commissioner of Official Languages, who has been granted leave to

intervene, will argue that the Yukon remains a federal institution for purposes of the Official Languages Act. This issue was also the focus of discussions between the Association des Franco-Yukonais and federal and territorial government representatives.

Ontario

Adoption of the French Language Services Act in Ontario in 1986 was hailed as a positive move by a broad cross-section of the press. It also received the support of all parties in the legislature and of the Association of Municipalities of Ontario, which represents some 630 of Ontario's 800 municipalities. However, a number of Ontario citizens have questioned the need for such a law and expressed concern about its long-term effects. It may be that the legislation has been insufficiently explained. A number of smaller municipalities in largely unilingual areas of the province seemed to believe that the Act would require them to operate in French and would entail the creation of bilingual jobs at the municipal level. The fact that the Act imposes no obligations whatsoever on municipalities did not deter several townships, mostly in eastern Ontario, from declaring themselves officially English-speaking.

The controversy surrounding the progressive implementation of the Act and the possibility of Ontario eventually being declared officially bilingual spilled over into the provincial election campaign during the summer. Except in a few ridings, official bilingualism was hardly the prime issue, but it was sufficiently prominent to be judged a factor in the results. A movement to have the implications of the law and the case for provincial official bilingualism made the subject of a referendum has found some support, but the process of implementing the Act is going forward according to plan. The government of Ontario has continued to defend and explain the legislation while firmly refusing calls for its review or repeal.

In February Kapuskasing town councillors quietly put an end to the controversy that had arisen about a by-law on the provision of services in English and French. In the end, the Council unanimously supported By-law 2019, which designates the town as a bilingual municipality for municipal government purposes and sets out guarantees for services in English and French.

ACFO concerns

As a representative for Franco-Ontarian concerns, the Association canadienne-française de l'Ontario (ACFO) continued to perform yeoman work in promoting language reform at the local and provincial levels. The Association believes that official bilingualism for Ontario would be the logical culmination of constitutional, legal and policy developments. It rebuked all three political parties during the Ontario election campaign for fudging the issue and for not making it clear that official bilingualism would not radically transform the administrative processes already in effect or in the mill. Local chapters of ACFO have also been pursuing a variety of issues related to education and the provision of essential services in French. The Ottawa-Carleton chapter launched a campaign to encourage Franco-

Ontarians to be proud of their heritage and to avail themselves of services in French. The government of Ontario provided a grant of $30,000 for this program. Bell Canada and ACFO representatives also formed a joint advisory committee to review and analyse the level of French language services offered to Bell Canada customers in Ontario and to make recommendations for their improvement, a useful model for similar private sector promotional initiatives in the area of official languages.

Sudbury ACFO representatives, who have been lobbying for improvements in French-language services provided by the Sudbury-Algoma Hospital, as well as the Franco-Nord Association which is dedicated to better mental health services for Francophone children in the Sudbury-Manitoulin district, initially welcomed the news that the provincial government would create a corporation to administer mental health services for all children, including Francophones, in Sudbury-Manitoulin. They have since expressed misgivings about the new corporation's ability to meet the needs of the local Francophone population. Another matter of concern to many ACFO chapters is the scarcity of French-language day-care services.

Minority language education

This is the 75th anniversary of Ontario's Regulation 17, which placed severe restrictions on the teaching of French in Ontario schools. Fortunately, that blot on the province's escutcheon has been all but erased by the gradual recognition of minority education rights. The creation of a French-language school board in Ottawa-Carleton is proceeding apace, although there are still occasional squabbles about the sharing of resources. Residents of Prescott-Russell have by and large welcomed the recommendations of the Prescott-Russell School Boards Study Committee (the Godbout Committee) which suggested, among other changes, the creation of a French-language board. The June decision of the Supreme Court of Canada on the constitutionality of Bill 30 (public funding of Catholic schools) was greeted with a sigh of relief by many Franco-Ontarians. The Court declared that the right of Catholic schools to full funding is enshrined in the Constitution Act, 1867, and cannot be affected by the minority language education provisions of the Charter of Rights and Freedoms. In the past, many Franco-Ontarians had to make painful educational choices between language and religion; this should soon be a thing of the past.

In October the Supreme Court of Ontario handed down a decision in a case between the French Language Education Council (FLEC) of the Simcoe County School Board and the Department of Education. The issue, which had been simmering for several years, was the provision at the French-language secondary school Le Caron in Penetanguishene of facilities comparable to those at the English-language secondary school. The Court held that FLEC had the right to decide what expenditures were required to improve the school's facilities and ordered the provincial government and the Simcoe County School Board to provide the necessary funds (estimated at $4.5 million).

Post-secondary education for Franco-phones

In April, Ontario announced measures to improve post-secondary education for Francophones. They include increased support for post-secondary French-language programs, additional aid to Ontario students taking selected post-secondary programs in Quebec and incentives to Franco-Ontarians to pursue higher education in their mother tongue. When one considers that proportionally half as many Franco-Ontarians attend full-time undergraduate university programs as in the rest of the population, this is good news indeed. The faculty of Algonquin College in Ottawa has supported the creation of an autonomous Francophone community college to serve the needs of Francophones in the National Capital Region. They believe such a structure would be better than the present bilingual system at Algonquin on the grounds that important educational decisions should be made by people who better understand the values and aspirations of Franco-Ontarians. There was also some discussion among students at the University of Ottawa about the need for a Francophone university in Ontario. (See also Part V).

On the cultural front, the Festival Franco-Ontarien in Ottawa was a greater success than ever. Over the years the festival has become a major socio-cultural event for Franco-Ontarians, other Francophones and francophiles in general. Franco-Ontarian artists are now making a name for themselves well beyond provincial boundaries. This year the Assemblée des centres culturels de l'Ontario agreed to an exchange of artists and shows with the Maisons de la culture in Montreal, and is considering expanding into the Maritimes. These are but a few examples of the vitality of the French-speaking communities of Ontario, a vitality and confidence that is growing with the recognition and support they have received. On the language front, Ontario seems about to come of age and may be held up as a model of what good will, tolerance and diligence can achieve.

Quebec

Among official language minorities, English-speaking Quebecers are indeed unique. They are Canada's only English-speaking minority. But their situation is also singular because Quebec's French-speaking majority is so obviously outnumbered in the larger Canadian and North American contexts. While the 5.4 million Francophones of Quebec constitute a large majority in the province (82.8%), as 2% of the North American population they feel bound to use their provincial institutions to protect their language and culture. This places the 700,000 Quebecers whose mother tongue is English in a vulnerable situation. While they feel they owe their Francophone fellow citizens a measure of support, they must also defend their own language rights to ensure the normal and healthy development of their communities.

Bill 101

This sense of a double-edged language threat in Quebec has crystallized around the Charter of the French Language (Bill 101), which was passed in 1977. While for many Anglophones the Charter represented an assault on their long-established language rights, for the Francophone majority it seemed an indispensable breakwater for the French language in a sea of English. Some of the hostility

and outrage that surrounded Bill 101 has evaporated over the last 10 years as French has consolidated its majority position and some of the more contentious restrictions on English have succumbed to court challenges. But the fines imposed for illegal use of English are not yet a thing of the past, and 1987 was a year of uncertainty and linguistic flare-ups. Section 58, in particular, concerning the use of French only in public signage and commercial advertising, has stirred up new debate. Over the years there have been several court decisions on this question. Recent decisions in the Court of Appeal were to the effect that the right to use one's language is part and parcel of the constitutionally guaranteed right to freedom of expression. Thus the province can legislate to require the use of French in signage but not to prohibit other languages. The Supreme Court of Canada heard arguments on this question in November and a decision is awaited.

Even before these matters came to trial, English-speaking Quebecers had not let their provincial government forget its electoral promise to amend Section 58 to allow bilingual signage. The government conducted extensive studies into ways to allow a measure of bilingualism without undermining the precedence of French, for example by permitting bilingual advertising by small firms. However, Premier Bourassa declared that the matter requires still further study and that the interests of "social peace" might have to prevail over electoral promises. By the end of the year, he had pledged to adopt a solution based on common sense that would be explainable to all concerned. Despite this Delphic utterance, however, businesses must continue to display signs in French only or face an enquiry by the Commission de protection de la langue française and possible prosecution by the Attorney General of Quebec. During the year, 17 convictions were obtained with respect to Section 58: eight concerning unilingual English signs and nine concerning French and another language.

While recognizing the need for language legislation in Quebec, the Commissioner has argued that any measures adopted should not diminish the fundamental rights of Quebec Anglophones, but rather should seek to protect and promote the French language. The Commissioner made representations to that effect to the government of Quebec and urged it to find an acceptable solution to the signage issue.

Before year's end, members of the Anglophone community also criticized amendments introduced by Cultural Affairs Minister Lise Bacon to the Quebec Cinema Act which allowed the government to restrict the number of English-language films distributed in the province without French-language versions. The intent of these amendments was to encourage film distributors to accelerate the production of versions in French.

English-language education

There have been other issues at least as bothersome to Quebec's minority. Prime among these is access to English-language education. Although the English-speaking community continues to have access to an elaborate education system which includes three universities, there are very real problems. The Anglophone school population has fallen even more dramatically than the Francophone one,

down from 249,000 in 1970-71 to 117,000 in 1985-86, a decline of 53%. This fall in enrolment has led to crises in the English-speaking school system resulting in school closures, teacher lay-offs and endless reorganizations.

One such reorganization erupted into a bitter feud in Brossard when the Catholic School Board announced in January that it would require all English-speaking children to attend St. Michel School at the north end of the district. This meant that English-speaking students who had previously attended Good Shepherd School, near where they live, would have some distance to travel and that the school would be lost as a community centre for English-speaking residents. When in April this plan was finally approved, over strenuous objections, Anglophone parents demonstrated in front of the board's offices, kept their children home and threatened court action. The Minister of Education finally asked the board to suspend implementation of the plan and appointed an expert to mediate the dispute. The mediator found a compromise which allowed for English classes at both the St. Michel and Good Shepherd Schools, but the English-speaking community remains dissatisfied with the arrangement of sharing two schools with Francophones. Other Montreal-area parents were struggling to keep Westmount High, Northmount High and Barclay schools open, and the closure of Harrington School in the Laurentians has resulted in long bus rides for the school's former pupils.

One solution to language issues in education lies in a reorganization of the Quebec school system along linguistic rather than denominational lines. On December 15, Education Minister Claude Ryan tabled legislation (Bill 107) aimed at establishing such school boards. Since similar legislation, introduced by the previous government in 1984, was struck down by the Quebec Superior Court on the grounds that it violated the denominational rights guaranteed by Section 93 of the Constitution Act, 1867, the Minister intends to refer a question to the Quebec Court of Appeal before enacting any of the controversial sections of the legislation. Bill 107 will not affect the status of the four denominational school boards considered to be protected by Section 93: the Montreal Catholic School Commission, the Protestant School Board of Greater Montreal and the original Catholic and Protestant school boards of Quebec City. Premier Bourassa, in an interview held a few days before the legislation was tabled, indicated that his government was prepared to consider seeking a constitutional amendment, if necessary, to bring about indispensable changes. Alliance Québec supported the principle of the legislation, as did many English- and French-speaking educators.

On the same day, Mr. Ryan also tabled Bill 106, which would bring about changes to school board elections. The purpose of the Bill is to create special wards to ensure Francophone representation on English-language Protestant school boards if as many as 200 children, or 5% of the school population, are receiving instruction in French. Anglophones would be represented on largely French-language Catholic school boards under similar conditions.

This year the Quebec Superior Court turned down an application by Anglophone school boards to have certain Bill 101 regulations declared invalid. The regulations stipulate that for a child to be eligible for English school, one parent has to have received at least half of his or her education in an English-speaking school in Canada. Mr. Justice Provost wrote that, although a Supreme Court decision had struck down the "Quebec Clause" of Bill 101 (which limited eligibility to a parent educated in Quebec), the other provisions of the legislation remain intact and school boards must respect them.[1]

There was good news for Anglophones at the college level. The Minister of Education announced that the English-language Heritage Campus of the CEGEP de l'Outaouais was to become independent. There was also talk of new facilities for the College's 775 students. Meanwhile, Anglophone students at Val d'Or asked for courses in English at their college. There were, however, funding difficulties for Quebec's Anglophone universities. The Rector of Concordia closed down his university on November 17 to protest "chronic underfunding" by the Ministry of Higher Education and Science, and staff and students held protests outside the National Assembly and Ministry offices. The Principal of McGill University also accused the government of underfunding the university's programs.

Health and social services

There was progress this year in the field of health and social services. The National Assembly adopted Bill 142, an Act whereby, "every English-speaking person is entitled" subject to certain resource constraints, "to receive health services and social services in the English language." The government's health and social service councils across the province have already begun making plans to improve services in English. For example, a special information workshop on such services was held in Quebec City; in Lennoxville a local community service centre was trying to recruit Anglophones; and in West Quebec a task force on English-language services was set up. While improvements of this nature necessarily take some time to work their way through the system, the minority communities are hopeful that there will be better services in English in the near future. Alliance Québec deplored the slowness of the regional committees responsible for developing service plans for the Montreal area and the South Shore.

Members of Alliance Québec, the Townshippers' Association and the Châteauguay Valley English Speaking Peoples' Association continued to protest the declining representation of Anglophones in the federal Public Service in Quebec. The failure of Customs offices to employ more English-speaking border officials is a particular irritant to the Townshippers. In response to these concerns several meetings were held in Montreal and the Eastern Townships, and senior representatives of the Treasury Board and Public Service Commission assured the groups that efforts

[1] Early in January a regulation requiring one or more parents to have been educated "entirely in English" for a child to be allowed to attend school in English in Quebec was declared null and inoperative. Mr. Justice Steinberg of the Quebec Superior Court ruled that the regulation was more restrictive than the relevant provisions of the Charter of the French Language on which the regulation was based.

will be stepped up to increase the participation of Anglophones in Quebec offices from the current low of 5.5%. The Commissioner submitted a special report to Parliament in January concerning the poor participation rates of Anglophones in the Public Service in Quebec (see Part II).

The Atlantic Provinces

The publication in fall 1987 of a new school manual in English and French, *The Maritimes: Tradition, Challenge and Change*, co-sponsored by the Departments of Education of New Brunswick, Nova Scotia and Prince Edward Island, was heralded as another sign of growing co-operation between the Maritime provinces in promoting similar social values. Among other things, it will inform students of the importance of the Acadian communities in their midst and remind them of both a troubled history and a precious heritage. The importance of "L'Acadie" in the French-speaking world was highlighted by the special place it was accorded at the September Francophone Summit in Quebec City. A visit by French President Mitterrand to the Village acadien in Caraquet during the Summit was a further tribute to the determination and cultural influence of one of Canada's oldest French-speaking communities. Lastly, the opening of a Centre acadien de civilisation française at Caraquet bodes well for continuing and strengthened links between Acadians and *la Francophonie*.

New Brunswick was the scene of more than a few linguistic skirmishes this year, provoked in part by election fever. The Société des Acadiens du Nouveau-Brunswick (SANB) and other French-language community leaders were unhappy with the government's failure to develop comprehensive new measures to promote language equality in the province. Most of the recommendations of the Guérette-Smith Advisory Committee on Official Languages had met with a lukewarm response: while the government accepted the general principles of the proposed reforms, it rejected most of the specific measures. The SANB was also quick to point out that the Meech Lake accord provided cold comfort to the Acadians of New Brunswick since it did not adequately address the issue of the promotion of language duality or the collective language rights of provincial minorities.

When the provincial election was called in September, 16 Acadian organizations joined forces as "Concertation 87" to set out their demands and recommendations for language reform in key economic, social, cultural and political areas. The SANB also indicated that it would like the principles of equality of status for both language communities which are contained in New Brunswick law enshrined in the Constitution. During the campaign, party leaders reacted to these demands with caution. The new premier, Frank McKenna, has proven that he is sensitive to minority issues and prepared to act to achieve practical improvements in the provision of better French-language health services and in the use of French as a language of work in the provincial public service. His strong mandate should enable him to achieve these goals quickly.

An issue requiring immediate attention is the provision of health services to Francophones in northern New Brunswick. There have been calls for better

hospital funding, new equipment and better care for Francophones who have suffered work-related injuries. In light of the pressing need for Francophone medical staff, the SANB was disappointed that little attention was paid to its suggestion that a faculty of medicine be created at the Université de Moncton. As matters now stand, Francophones who wish to receive their medical training in French must study outside the Atlantic region.

Official languages agreement

In early October the federal and New Brunswick governments signed a general agreement for the promotion of official languages and the development of the official language communities in the province. The agreement foresees initiatives in a wide variety of different areas including 1) service to the public in education, justice, health and community services; 2) the promotion of English and French as languages of work in the provincial public service; 3) the cultural, social and educational growth of both language communities of New Brunswick; 4) assistance to municipalities in providing municipal services in both languages; and 5) assistance to non-governmental and private-sector organizations to provide services in English and French and to encourage the full participation of both language communities. What is most striking about this agreement is the comprehensive nature of its objectives as well as the recognition of the government of Canada's mandate "to foster the fuller recognition and use of French and English in Canadian society and encourage and assist the development of the official language communities across Canada, and, in pursuit of those objectives, to promote a co-ordinated approach by federal departments and agencies." We hope this agreement will serve as a model for similar agreements with other provinces.

Education

The decision in July of Mr. Justice Guy Richard of the New Brunswick Court of Appeals in the case of the *Société des Acadiens du Nouveau-Brunswick et al.* v. *Association of Parents for Fairness in Education and School District 50* was greeted with relief by many Acadians. At issue was the right of an English-language school board to offer French immersion courses to Francophone children. The gist of the decision was that immersion classes cannot be held to be the equivalent of French-language instruction for the purposes of the minority education rights guaranteed in the Charter of Rights and Freedoms.

In July the Acadian community mourned the loss of Father Clément Cormier, one of the province's dominant figures in education. As the founder and first chancellor of the Université de Moncton, Father Cormier's efforts to promote French-language education will be remembered and honoured by all New Brunswickers. Perhaps the greatest tribute to Father Cormier's vision is the continued growth and development of the university that meant so much to him. This year, for example, a School of Forestry was inaugurated, as was the Centre de recherche en linguistique appliquée, which will conduct research into linguistic problems in minority and bilingual milieux. A Francophone resource centre for the blind was opened on the Moncton campus, and a contract for nearly $5 million was let for the enlargement of the campus library.

The question of bilingual municipal services was at times the subject of debate this year in Bathurst and Dieppe. While both municipalities provide bilingual services, their adequacy was sometimes the subject of heated exchanges. Such was the case in Bathurst when the city hired a unilingual Parks, Recreation and Tourism Director. In Dieppe, a town where 71% of the population is French-speaking, correspondence and council minutes were often written only in English. The town council has decided that henceforth documents will be made available in both official languages. The SANB continues to promote the idea of an association of Francophone municipalities as a means of ensuring that Acadian needs are met.

In April, the federal Minister of Justice announced that after September 1 residents of **Nova Scotia** would have the right to a trial in French on any criminal charge. The Secretary of State's Department is providing financial assistance for the language training, interpreting and technical facilities needed to make this possible. The government of Nova Scotia announced the appointment of its first bilingual provincial court judge, Mr. Justice Batiot, a Dalhousie Law School graduate. Before year's end Judge Batiot stated that Nova Scotia's first bilingual trial would take place in Dartmouth in February 1988.

Minority language education

In June the Secretary of State and Nova Scotia's Minister of Education announced an agreement to build a $8.6 million French-language school and community centre to serve Francophones in the Halifax-Dartmouth area. The opening of the school, scheduled for September 1989, should go a long way toward resolving questions about the quality of French-language instruction raised by parents of students now attending the Shannon Park Francophone School.

Francophone parents in Sydney continue to demand that the Cape Breton District School Board establish a French-language school for their children. In July the Supreme Court of Nova Scotia turned down an application by the Comité pour l'éducation française de Sydney, which had sought an injunction to obtain the establishment of a French-language school immediately. The Comité had argued that the 429 children involved would suffer if they had to await the outcome of the case to be heard before the Nova Scotia Supreme Court in January 1988. Just before going to press, we learned that, on January 14, 1988, Mr. Justice Hallett of the Nova Scotia Supreme Court had ordered the Cape Breton District School Board to find a suitable educational facility for a French-language school and to call for registration of students. The result of the registration, which is to be advertised and to last for 10 days, must be reported to the Court by April 30, 1988. The Court will then decide whether there are sufficient numbers of students to warrant the opening of a French-language school. The provincial government has also been ordered to design a French-language program of instruction spanning grades one to eight in anticipation of a September 1988 enrolment. Parents will then know the kind of curriculum to be offered before they enrol their children.

The Université Sainte-Anne continues to develop interesting and innovative programs to serve Francophones and francophiles in Nova Scotia. It now provides

community television programming in French three hours a week as well as a 24-hour teletext service. It has also begun offering extension services by video-cassette and is conducting research into new forms of distance education.

The Fédération acadienne de la Nouvelle-Écosse, which has been following up on its 1986 study of federal and provincial French-language services, was pleased to learn at its annual meeting in October that the province has developed a policy on French-language services in Acadian regions. Jobs in these regions will now be evaluated to determine the language skills required. Members of the Fédération and Acadians from all parts of Nova Scotia took pride in the inauguration of a new exhibition at Grand Pré National Historical Park. The exhibition, which featured paintings by Acadian artist Claude Picard, contains artefacts relating to the life of Acadian families at the time of the deportation.

The Acadian community of **Prince Edward Island** in general and the Comité des parents pour une classe française of Summerside in particular are awaiting with impatience the decision of the Supreme Court of Prince Edward Island on the validity of the School Act and its regulations. They hope that a judgment in their favour will lead to greater respect for their education rights under Section 23 of the Charter. The Commissioner intervened before the Court in this case to argue in favour of more active implementation of the Charter guarantees. The Société Saint-Thomas d'Aquin also continues to make representations to the Secretary of State's Department and the provincial government to have a French-language school and community centre built in Charlottetown. Before year's end, the Education Minister announced that a French Educational Services Division was being set up to assist in the development of the Francophone minority's schools, as well as with the teaching of French as a second language.

On September 1 the province moved a step closer to implementation of the provisions of Part XIV(1) of the Criminal Code by allowing summary offences to be heard in French by a Provincial Court judge. It is also gearing up for full implementation of the provisions for trials in English or French by ensuring that more Provincial Court judges become bilingual.

The Minister of Industry and Minister Responsible for Acadian Affairs commissioned a study of the availability of bilingual provincial services in areas with a high concentration of Francophones. The report, which was made public in the fall, marks a promising new departure which we hope will yield interesting results. Our Office conducted a study of federal services in French in Prince Edward Island and suggested the creation of a French services centre in the Évangéline region. (A more detailed account of this study appears in Part II).

It was with considerable pride that the Francophones of **Newfoundland** raised a newly designed flag on the site of the province's first French-language school-cum-community centre, scheduled to open in fall 1988 at Mainland. A federal contribution of $1.7 million representing 75% of the total costs and a provincial contribution of the remaining 25% are being supplied through a federal-provincial

agreement under the Official Languages in Education Program. The centre will serve students from kindergarten to grade six. The government, and the Minister of Education in particular, deserve praise for this achievement. Meanwhile, Francophones in St. John's, frustrated in their efforts to get the local school board to establish French-language classes, are considering court action. We hope the matter can be resolved out of court.

The possibility of criminal trials in French in Newfoundland was examined by the Supreme Court of Canada in the Ringuette case. William Ringuette, who faced criminal charges in St. John's, had been refused a provincial court trial in French as provided under Part XVI(1) of the Criminal Code. The Supreme Court of Canada in September dismissed Mr. Ringuette's motion, thus accepting federal and provincial arguments that the administrative difficulties of providing a trial in French in the absence of bilingual judges, court reporters, clerks and other officials were for the time being insurmountable. Amendments to the Criminal Code will ensure that, by January 1, 1990, accused persons can be tried before a judge and jury speaking their official language.

The Fédération des francophones de Terre-Neuve et du Labrador has commissioned a study on options in regard to school governance that may shed some light on how such issues can be resolved. The Fédération completed a study aimed at evaluating federal services in French in spring 1987. A parallel survey also identified the federal institutions of prime importance to the Francophone community. The Fédération is also co-operating with nine federal departments and agencies to upgrade services. The Commissioner visited the province in October to attend the Fédération's annual meeting and to meet with provincial government representatives to discuss education and service issues.

* * *

In 1986 our message concerning Canada's official language minorities was "More Action Please". In 1987 there has been considerable movement at the policy level but less than one might have hoped in practical terms. As Shakespeare has it, "The law hath not been dead, though it hath slept." What exists by way of a national plan for the survival of the official minorities is still less than totally convincing; there is little point in sewing new patches on a garment that needs redesigning. The government of Canada, in co-operation with the provinces, the private sector and the general public, must fashion something better suited to the times.

Radio and Television: Medium Waves

Radio and television are an integral part of our daily lives. They play a major role in our cultural development as individuals and members of a larger community. So, in a country with two official languages, it is essential that Anglophones and Francophones have access to the broadest possible choice of radio and television programs in their own language. Sad to say, however, far too many members of our official language minorities have no such choice. This state of affairs has long been a matter of concern to the Commissioner. He has made his views known to the Standing Committee on Communications and Culture, to which he has also submitted a number of proposals for correcting these inequities.

Community radio

As we said last year, community broadcasting can be "an excellent means of expression and communication for minority communities and groups", who are not exactly pampered by our major television networks. We were therefore delighted when the CRTC approved applications from three minority broadcasting groups. Last March, Radio-Péninsule received a licence to serve northeastern New Brunswick, thus becoming the first French-language community radio station to go on the air outside Quebec and, in July, a licence was granted to Épinette Noire, the first Francophone community radio station in Ontario. The third group to receive CRTC approval, in October 1987, was La Radio Communautaire de Rivière Saint-Augustin Inc. in the Saguenay, the first English-language community radio station in Quebec.

This, it seems, is only a start. The Department of the Secretary of State is committed to promoting English- and French-language community radio stations and has established a five-year, $5.6 million grants program for the purpose. Congratulations are in order, not only for the Department but for the Fédération des jeunes Canadiens français, which convinced regional and local groups, as well as the powers that be, of the strategic importance of community radio in the development of our minorities.

The Calgary Olympics and the Francophone minorities

We must, however, mention a serious issue that the Commissioner felt obliged to bring to the attention of the Standing Committee on Communications and Culture: shortcomings in French-language coverage of the Calgary Olympic Games. This problem goes back to 1984, when the Olympic Games Organizing Committee granted broadcast rights to CTV and TVA (Télé-Métropole) without

providing that coverage be made available in both official languages for all Canadians. For what appear to have been reasons of cost, the Committee did not trouble to find out whether the various Francophone communities outside Quebec would be able to receive the TVA signal. Most of them could not, and still cannot. If nothing had been done, such groups would have been able to receive only the opening and closing ceremonies in their language plus a one-hour daily summary on the French network of the CBC, and even that was only conceded at the end of the year. It was only a month before the opening of the Games that the CRTC authorized 53 cable companies outside Quebec to retransmit the TVA signal. While this decision was good for cable subscribers, non-subscribers will have to follow the Games in English.

It is difficult to explain why this matter was raised so late and why we had to rely on some last-minute improvisation, however brilliant, to put together what remains a partial solution. It is also incomprehensible why the government of Canada — one of the principal funders of the Games — did not insist from the beginning that the broadcast rights include an obligation to provide complete coverage of the Games in both official languages.

The oddity of this situation did not escape the Standing Joint Committee on Official Languages. In its Third Report, it recommended that the government adopt a policy on this matter and issue clear directives. The federal government — which often provides generous funding for major events of this type — must require those responsible to do everything in their power to reflect the linguistic duality of Canada. It is also to be hoped that the forthcoming new Broadcasting Act will, among other things, guarantee that all events of national importance are broadcast in both official languages throughout Canada.

As far as possible, an equitable broadcasting system should offer a genuine choice of English- and French-language television signals across Canada. The CBC, whose assistance to the minorities is considerable, could nevertheless do much more given the proper means. It cannot, however, single-handedly meet all the needs of Francophones outside Quebec, not to mention bilingual Anglophones who wish to keep their second-language skills up to par. Efforts should focus on providing the public with more than the present option, which is simply a choice between the CBC's French network and English-language television.

One broader option might be to transmit throughout Canada the TVA programs already distributed in Canada by Cancom, or the signals of the Canada-Europe TV5 network. This would involve concerted efforts by the Department of Communications, the Department of the Secretary of State, the CRTC, the CBC, TVA, the minority associations and Canadian Parents for French. The possibility deserves to be discussed at a meeting of all interested parties or to be submitted to a parliamentary committee that could look into all aspects of the issue.

New specialty channels

In November, the CRTC issued licences to 10 new specialty channels, five of which will broadcast in French. Once again, however, some Francophone minority groups will not benefit from new services in French because they will be available in only one half of the country. Economic considerations are of course important, but it is nevertheless regrettable that such services cannot be offered nation-wide.

In 1987 the CBC was granted a licence to establish a national English-language all-news channel. However, the CRTC decision only required the Corporation to study the feasibility of a comparable service in French. In January 1988 government reacted by asking the CBC to ensure that the service would meet the expectations of both language groups and comply with the broadcasting policy requirements now close to completion.

The new policy and the minorities

It is hard to avoid the conclusion that the needs of the official language minorities are often not given adequate consideration, and therefore that it is of the utmost importance that the new Broadcasting Act contain precise requirements for serving Canadians in both official languages. The Act should promote the following policy objectives for Canadian broadcasting:

- to reflect the distinctiveness of English- and French-language radio and television;
- to broaden the choice of English and French radio and television across Canada and establish appropriate means of co-operation for this purpose;
- to promote the development of community radio and television that has both an information and a cultural mission;
- to ensure that all events of national importance are broadcast in English and French across Canada;
- to increase the number and quality of regional radio and television productions so that English- and French-speaking groups across Canada have modern and effective instruments of self-expression, and at the same time to encourage the national networks to give such productions generous exposure.

These proposal are consistent with the spirit of the 1987 Constitutional Accord. For reasons of both logic and equity, our national broadcasting system must play its part in the development of each and every one of Canada's official language communities.

PART V

Official Languages in Education: Meeting the Demand

Introduction: Program Renewal

Although education in Canada is a matter of provincial jurisdiction, the federal government plays an important role — through its Official Languages in Education (OLE) Program — in promoting English-French equality in educational matters. The OLE Program was established to help minority language parents obtain a proper education for their children in their mother tongue and to provide better opportunities for young Canadians to learn their second official language. This chapter discusses the history, impact and future of this program, the importance of which is underlined by the new commitments in Bill C-72 to promoting the official languages in education. Discussion of this commitment is followed by a province-by-province review of the second-language learning situation. This should allow readers to form their own opinions about the main issues facing Canada in this regard. The interdependence of minority and second-language education is dealt with in this introduction, but a more detailed discussion and province-by-province treatment of minority education is to be found in Part IV.

Canadian parents want the best for their children. For minority language parents that means, among other things, schooling for their children in their own official language and a proper say in how that schooling is programmed and managed. For many "the best" also means an opportunity for their children to learn both official languages. Whether the reasons invoked are economic or cultural, or some combination of the two, it was clear in 1987 that parental expectations in both these regards are increasing more sharply than are the human and financial resources on which their fulfilment depends. With a new federal-provincial protocol on Canadian government support for official languages in education in preparation, it is time to survey this crucial issue in Canadian education and to develop a long-term strategy. The need for such a strategy is emphasized by the prospect of a new Official Languages Act.

The OLE Program

The Official Languages in Education Program — originally known as the Bilingualism in Education Program — was created in 1970 in response to the report of the Royal Commission on Bilingualism and Biculturalism and as a complement to the 1969 Official Languages Act. Its main objectives are to encourage and assist the development and provision of education in the minority official language of

each province and territory and to provide proper opportunities for young Canadians to learn their second official language.

In the last 17 years this program, which operates through agreements between the federal government and the provinces and territories, has transferred more than $2.8 billion to the latter. Although at its inception its main declared aim was to help the provinces and territories *develop and supplement* the necessary educational infrastructures, it is now acknowledged that, particularly for the first 12 years, a disproportionate amount of federal money tended to go to *established* minority and second-language programs, notably in Quebec (home of the largest single official language minority), rather than to creating new opportunities for the Francophone minorities, who had had fewer to begin with. (See tables.) A three-year protocol signed in 1983 made it possible at least partially to correct this imbalance by changing some of the payment criteria. This arrangement was subsequently extended to March 31, 1988, at which time a new agreement should be ready for signature.

Table V.1

Federal contributions[a] under the Official Languages in Education Program for minority language education over two time periods

Province	Pre-protocol[b] (1970-83) $000	%	Post-protocol (1983-87) $000	%
Quebec	798,642	65.1	255,588	58.4
Atlantic Provinces	117,252	9.5	68,245	15.6
Ontario	273,625	22.3	99,281	22.6
Western Provinces and Territories	37,572	3.0	14,266	3.2
Total	**1,227,091**	**100.0**	**437,380**	**100.0**

Table V.2

Federal contributions[a] under the Official Languages in Education Program for second-language instruction over two time periods

Province	Pre-protocol (1970-83) $000	%	Post-protocol[b] (1983-87) $000	%
Quebec	154,604	51.1	53,950	27.8
Atlantic Provinces	18,062	5.9	26,503	13.6
Ontario	89,989	29.7	69,781	35.9
Western Provinces and Territories	39,622	13.1	43,797	22.5
Total	**302,277**	**100.0**	**194,031**	**100.0**

[a] Pre-protocol figures represent formula payments; post-protocol figures represent payments made under infrastructure support.

[b] Figures include immersion programs

Source: Department of the Secretary of State

Under the current agreement, federal funds are intended to pay a portion of the *additional* costs under four program categories: infrastructure support for continuing programs and services; program expansion and development; teacher training and development; and student support. Further support is provided for two national programs administered by the Council of Ministers of Education, Canada (CMEC), in conjunction with the provincial or territorial Departments of Education. The Summer Language Bursary Program enables post-secondary students to take intensive summer courses in their second official language and provides bursaries to Francophone students outside Quebec to improve their skills in their own language. Through the Official Language Monitor Program, post-secondary students are enabled to travel outside their own community to act as assistant teachers of English as a second language or French as a first or second language at all levels of the educational system.

Independent program review

In 1985 the Secretary of State commissioned an independent study of the OLE Program by Peat, Marwick and Partners, in association with a specialist in this field, Dr. Stacy Churchill of the Ontario Institute for Studies in Education. The study was completed late in 1986 and the resulting report, which appeared last May, emphasizes the program's importance and notes both progress and problems in developing educational opportunities for the minorities and in the increasing numbers of students wishing to learn English or French as a second language.

Signs of progress

There have been a number of important changes in official languages education since 1970. Predominantly English-speaking provinces and territories which, at the end of the 60s, offered virtually no programs in French for Francophone students, now do so to a greater or lesser degree. New Brunswick and, just recently, Ontario, have introduced policies which, in effect, fully recognize the right of minority language parents to educate their children in French and authorize Francophone management of French-language schools. The equivalent right has generally existed for the Anglophone minority in Quebec since Confederation.

In some parts of the country, the second-language education of young Anglophones has been substantially transformed through the introduction of French immersion programs, in which over 200,000 Anglophone children are now enrolled. In many provinces second official-language study is now compulsory at the primary level. All provinces are taking part in a National Core French study which aims at improving the teaching of French as a subject. Most provinces also have teacher training, curriculum development and other support activities related to both main aspects of the program.

Such progress undoubtedly reflects a growing consensus about the importance of official languages education. This is most apparent in the increased demand now making itself felt at the provincial and local levels. "Public expectations for the Official Languages in Education Program and for related educational services in the provinces are high," the Peat, Marwick Report says. "Great strides have been made, but the growth in public expectations has been more rapid than

progress in meeting them, with the consequent widespread sense of dissatisfaction among those who are interested in official languages programs."[1] Parental demands and expectations differ from region to region. In some areas and for some parents it is a matter of creating something from scratch; in others it is a matter of improving services which already exist.

Francophones outside Quebec

In spite of the gains, the network of classes and schools for Francophones is still incomplete, so that many children are still being denied appropriate access to education in their own official language. In some cases, in nominally French-language schools outside Quebec, programs are only partially taught in French. Although the distinction between programs for the French minority and French immersion programs has been clarified at the policy level in most jurisdictions, local authorities may still fail to abide by provincial guidelines, with the result that many Francophone pupils find themselves in classes intended to meet Anglophone needs. According to a study by the Commission nationale des francophones, in the six predominantly English-speaking provinces (other than New Brunswick, Ontario and Manitoba) and in the two territories, only 8.4% of Francophone pupils covered by Section 23 of the Charter are actually studying in a French-language school.

Outside Ontario and New Brunswick the important issue of minority school management also remains largely unresolved. Parents and researchers are worried as well about the impact of inadequate schooling on the general literacy level of minority Francophones. A report published in November 1985 by the Conseil de l'éducation franco-ontarienne found that inadequate educational services in French in Ontario contributed to a greater high school drop-out rate for Francophones than for Anglophones. This report also revealed that French programs in bilingual schools were "very impoverished", and that the drop-out rate for Francophones in these schools was the highest for all forms of French schooling in Ontario.

French as a second language

Although most Canadians agree that learning the second official language is important, the most recent figures show that, outside Quebec (where the study of English is compulsory in Francophone schools), participation rates are 54% at the elementary and 47% at the secondary level. Levels of participation in French second-language programs in high school have declined 10 percentage points since 1970-71. Dropping French as a requirement for either a high school diploma or as a university entrance requirement in some provinces is undoubtedly one factor in this decline.

For many parents, French immersion programs are an innovative and stimulating alternative to core programs. They are so popular that, in some cases, public demand has begun to outrun local capacity to expand the program. For the vast majority of students in Canada, however, a core second-language program remains the only available method for learning English or French. There is no reason why this method should be considered intrinsically "second-class"; in many European countries it has for generations produced graduates with a satisfactory ability to function

[1] Final report of the evaluation of the Official Languages in Education Program (1970-85) prepared by Peat, Marwick and Partners, in association with Dr. Stacy Churchill, May 1987.

in another language. Students chiefly need opportunities to be productive in that language, and Canada does not lack such opportunities, as the increasing demand for student exchanges shows. Well-trained teachers and modern methods are also important. In this regard, we look forward to learning the final results of the National Core French Study next November. As matters now stand, however, suitable access to effective second-language programs for all children remains a problem, as does continuity of second-language instruction from level to level, particularly within the same school district. In some cases, transportation arrangements and funding are also the subject of controversy.

Anglophones in Quebec

Declining school enrolments and shifts in the overall distribution of English and French students are beginning to pose serious challenges to Anglophone education in Quebec. Changes to funding arrangements and some restructuring of the overall management of English schooling will be needed if its quality and integrity are to be maintained.

Teacher shortages

The demand for French-language teachers for all purposes is so great that there is growing concern about how many can be hired or trained. While the number of students enrolling in immersion programs continues to increase, the number of students who are enrolled in faculties of education across Canada and planning to teach immersion classes is beginning to decline. In British Columbia it is estimated that up to 200 new immersion teachers could be needed in 1988, while the province's universities are only training about 60 students for that purpose. Since an immersion teacher requires a very good command of the language, re-training Anglophone teachers for the immersion stream is not something which can easily be done. It also raises concerns about a possible decline in quality. Continuing professional development for core French teachers, improvements in pre-service training, in-service training, and re-training for second-language teachers in general are other areas where the needs are becoming more noticeable.

These trends are not new. Many of them were discussed in our previous Reports, as well as in such studies as Professor Pierre Foucher's *Constitutional Language Rights of Official Language Minorities in Canada* (December 1985), the Peat, Marwick Report, and others. What they demonstrate is that the various components of Canada's official languages in education system have now gone well beyond the scope of improvised and partial solutions. What confronts us is a major effort in co-ordinated educational planning, one which will give the diverse interests their due and organize a long-term pedagogical and administrative strategy for responding to them.

The basics

The existence of official language minority communities is, in the words of the Meech Lake accord, a "fundamental characteristic of Canada". However, a number of these communities cannot hope to survive into or through the next century without access to the quality of education that is promised by Section 23 of the Canadian Charter of Rights and Freedoms. Yet the vitality of these communities is important not just for themselves but for all Canadians. What will

be the point of excellent English or French as a second language (ESL, FSL) instruction if the minorities themselves are hard put to survive? One of the paradoxes facing Canada today is that the recognition of French is growing at the same time as the French-speaking population outside Quebec is declining or becoming anglicized, thereby putting in jeopardy much of the *raison d'être* of our burgeoning FSL programs.

This national asset cannot be properly maintained without a serious institutional effort and, in particular, without appropriate and timely investment in minority language education. It is no coincidence that the highest rates of language transfer from French to English occur in areas where access to French-language schools has been most lacking. Saskatchewan and Newfoundland are just two of the more obvious examples. The needs of the Francophone minorities are many: start-up or expansion of services, access to research on various educational and management models, curricula and well-adapted educational materials and, by no means least, appropriately trained teachers. Besides providing basic education, the school is often an important focal point for the whole minority community. It embodies its present vitality and its hopes of future growth. Minority education is not an add-on or a luxury; it is the first lifeline of the community itself. Nor is it enough to have minority language schooling of any sort; it must be schooling that offers — and is seen to offer — a genuine and attractive alternative to majority language education.

The combination of urgent minority education needs and mounting pressures for more, and more effective, second-language instruction — particularly through immersion programs — has placed administrators in the unenviable position of attaching a dollar value to competing national priorities. The OLE Program operates mainly through federal contributions based on numbers of students enrolled and through joint funding with provinces and territories for specific program initiatives. Since enrolments in second-language instruction, in particular in immersion programs, are either increasing quite rapidly in some areas and enrolments in first-language education are increasing much more slowly or declining, it seems at first impossible to avoid some kind of funding imbalance or even conflict under the current financial formulas. In Alberta in 1986-87, for example, French immersion enrolment was estimated at 21,350 students, while minority French enrolment was barely 1,500. Even when account is taken of the higher per capita funding rate for minority students, it has to be realized that both federal and provincial resources are finite. These resources have tended to decline, in real dollar terms, throughout the 80s.

It is hard not to conclude, as does the Peat, Marwick Report, that additional funding must be made available to the OLE Program if the basic constitutional promises to the minorities are to be met without at the same time diminishing the capacity to respond to legitimate demands for the best possible second-language instruction. It is commonly agreed that, given the relative health of all official language communities across Canada, program priorities must be such that all minority

language groups can receive the education guaranteed to them by Section 23 of the Charter of Rights and Freedoms as soon as possible. **We therefore recommend increased funding for the Official Languages in Education Program together with whatever program adjustments are required to ensure that minority educational needs are fully met and that effective second-language education is offered to all Canadians.**

If additional funding is not feasible, the unhappy logic of the situation seems to require that more money be spent in developing minority language education even if that means that the expansion of second-language learning would be temporarily slowed. Such a choice would be more than disagreeable, for it would be manifestly inconsistent with the Bill C-72 language principles at a time when the need to affirm Canadian values is greater than ever.

Planning requirements

More money is not a cure-all. Potential crises of the kind signalled in the Peat, Marwick Report call for serious and sustained efforts to analyse trends and adjust programs to meet growing demands in the most efficient way. As we said last year, planning is needed at *all* levels — federal, provincial and local — to take into account competing needs and the particular problems of each region, be they teacher shortages, lack of materials or dispersion of students. Questions about the supply of teachers, growth of immersion and the quality of core programs not only have to be answered, they have to be answered within a single and co-ordinated planning framework. At present we are forced to say that no such framework exists.

Leadership

Canadians expect leadership from their national government. We would therefore encourage the Secretary of State, in line with the mandate it is assigned by Bill C-72, to take a much more active role in the area of official languages in education.

We recommend that, in light of problems now being experienced, especially in the province of Quebec, legislative or, if necessary, constitutional changes be made to permit the grouping of students on the basis of language.

We recommend that the Secretary of State encourage the collection and dissemination of information on official languages education and planning and make such information easily accessible to the users of the OLE programs in the provinces.

To help school administrators with some of the complexities of planning official languages education and to help parents make enlightened choices, we more specifically recommend that the Secretary of State contribute, in close co-operation with the CMEC, provincial ministries, parent and trustee associations, and other interested groups, to the following projects:

- **Development of appropriate administrative models for minority schooling in a variety of provincial and local contexts.**
- **Preparation of a guide for parents and other users outlining the objectives of minority language schooling, what distinguishes it from immersion**

or other forms of second-language instruction, and other practical issues surrounding the possible choices in minority education: issues in school management, admission criteria, transportation and so on.

- Preparation of similar documentation for parents and other users, outlining the various pedagogical options in second-language education that are or might realistically be made available. Such a guide would deal with questions such as the "best" age for second-language learning and the effects of different time and content factors in successful second-language programs.

Second-Language Instruction: Regional Roundup

The following province-by-province review deals mainly with second-language issues. Since second-language and minority language issues sometimes overlap, we discuss both aspects together when this occurs. Minority language education issues are more fully dealt with in Part IV.

Canadian Parents for French

For anyone involved in official languages education in Canada, references to Canadian Parents for French (CPF) throughout this section will come as no surprise. From a group of 30 founders who got together in 1977 to exchange up-to-date information on all aspects of French as a second language (FSL) and youth exchanges, CPF has expanded to become a more than 17,000-strong national association with local chapters in almost every part of the country. Its reputation in the second-language field is such that CPF has been regularly consulted by the federal government and the Standing Joint Committee on such matters as revising the Official Languages Act and the review and adjustment of the Official Languages in Education Program. Each year CPF sponsors a highly successful Festival national d'art oratoire (National French Public-Speaking Showcase). Le "Festival", which will celebrate its fifth anniversary in 1988, is a series of contests which begins with "speak-offs" at the classroom level and culminates in a provincial "concours". Winners from the senior grades are eligible to attend the non-competitive Festival held in late spring in Ottawa.

CPF's main publication this year was a kit, "French: It Makes a Difference", which outlines opportunities for bilingual Anglophones in each province to continue their French studies at the post-secondary level. Students, parents and educators are sure to find this attractive package highly readable and informative and CPF will continue to be in the forefront of the effort to achieve official language equality in this crucial area of education.

Newfoundland

The province is gearing up in earnest to meet future requirements in French-language education. In 1986 the Minister of Education established a Policy Advisory Committee on French Programs, which was chaired by the Department of Education and included representatives of home and school associations, school trustees, teachers' groups, the Fédération des Francophones de Terre-Neuve et

du Labrador and Canadian Parents for French. The Committee's mandate was "to study the French programs in the province and to recommend policies for the guidance and future development of these programs" with particular regard to implementation of Section 23 of the Canadian Charter of Rights and Freedoms, public expectations for French programs in the province, and costs. The Committee produced a comprehensive report in September 1987. Its major recommendations are:

- a five-year development plan;
- compulsory French in grades four to nine;
- early and late French immersion programs and an extended core French program at the high school level;
- concentration on development of the core French program for the next five years.

The report sees the lack of qualified French teachers as the main challenge and suggests the Department of Education develop a comprehensive plan for retraining teachers of French, in co-operation with Memorial University, the Newfoundland Teachers' Association and school boards. Further curriculum development for both French immersion and French as a first language programs is also recommended. At year's end the Minister had given the report approval in principle but was reviewing school board reactions before implementing most of the recommendations. Action has already begun with respect to providing French language training for teachers at Memorial University and the Frecker Institute in St. John's.

Prince Edward Island

Demand for immersion is high. In the urban areas this demand can usually be accommodated, although some students may have to be bused to schools outside their immediate community. In rural areas, however, the small number of students makes the provision of immersion programs problematical, and there seems to be growing agreement that, in some parts of the province, immersion may never be a viable option. Although French is not a compulsory subject under the School Act, all schools are in fact required to offer French in grades four to nine. About 95% of the students in these grades take French as one of their subjects. Estimates are that almost 16% of these students are enrolled in immersion programs.

A five-year action plan for elementary and secondary schooling in Prince Edward Island was announced by the Minister of Education in December. One of its important features is a policy on French as a first and French as a second language. A French Education Services Division responsible for program development in French minority language and French second-language education has been formed. According to the Ministry of Education, these changes were introduced to respond to both Anglophone and Francophone parents' concerns about the quality of French

education programs. Additional resources and new staff should ensure better development and co-ordination of French-language pedagogical services in general.

Nova Scotia

The general impression is one of steady if slow progress. Although the provincial chapter of Canadian Parents for French reports that its membership has recently increased dramatically, the relative growth of immersion programs in the province continues to lag behind that of other provinces. Here, too, there is a need to improve core programs. French is compulsory in grades four to six but, in some instances, the infrastructure necessary to quality programs is lacking, especially in rural areas. Estimated enrolments for 1987-88 indicate that about 3% of those studying FSL are in immersion programs.

In 1984 the Nova Scotia chapter of CPF conducted a survey of French teachers in the province. Many teachers replied that they felt less than confident in their French language skills and that they were not being supported by the Department of Education in the areas of training and upgrading as well as they should be. To look into these concerns, representatives of Dalhousie, Mount Saint Vincent and Saint Mary's universities, the Department of Education, teachers' associations and CPF have begun to meet on their own initiative to discuss questions of long-range planning and co-ordination in French language programs.

In June 1987 the Minister of Education released the Report of the Advisory Committee on the Public School Program as a discussion paper. Among its recommendations for changes in the organization and structure of the program for grades ten to twelve was a requirement for a compulsory credit in French; the Committee pointed out that this would have far-reaching implications for the study of French at the junior high school level.

New Brunswick

In July the Department of Education decided to postpone the review of second-language programs in English schools we reported last year. The Minister said that existing extended core, regular core, and French immersion programs were all working well, and that he would like to consider various views before deciding whether or not to proceed with the review. We continue to believe in the value of a comprehensive look at the fit between different kinds of FSL programs and hope the new Minister will share that view.

On July 3 the New Brunswick Court of Appeal upheld the 1983 decision by Mr. Justice Guy Richard that French immersion courses are designed to teach a second language to English-speakers and not to serve Francophone students. The decision, which was essentially about the jurisdictions appropriate to Anglophone and Francophone school boards, will have the practical effect of stopping Francophone parents from placing their children in immersion programs in the English school system. (The Société des Acadiens du Nouveau-Brunswick had originally taken the issue to court because they feared that allowing

Francophones to opt for French immersion in an English system would encourage their anglicization.) Parents must now decide whether they consider their child essentially English-speaking or French-speaking and make their choice between the two school systems accordingly. Francophone parents may still enroll their children in an English school if the children are functional in English and remain in the mainstream Anglophone program.

In 1981 the School Act abolished bilingual schools in favour of two distinctive English and French systems. This dual language system has led to dynamic developments in second-language instruction in both languages. Both systems display a lot of flexibility in their patterns of second-language instruction.

In the French school system, new methods of teaching English as a second language (ESL) are being tried out in three school districts. This "enhanced core" program will be evaluated over two years and, if the results are good, will be implemented across the province and introduced in different grades. Districts where the French environment is stronger will introduce it earlier than others. Concerns about the anglicization of French-speaking children mean that the study of English does not begin until grade three, at which time elementary school students begin to receive one period of English a day. To take account of differing levels of second-language ability, students are divided into two tracks; track A, which teaches basic English as a second language, and track B, where the more bilingual students are able to take some of the English language arts taught in the English system.

In the English school system, French became compulsory in grade one in 1987. The policy is to provide French instruction daily and at every grade level in primary school. All students in high school must have a credit in French and are encouraged to take at least one other subject in French. Plans to translate English grade ten Maritime Studies textbooks into French for immersion students should be implemented by September 1988. Plans are also under way to implement an extended core program for all students in primary grades. Out of 27 English school districts in the province, 22 have immersion programs and about 15% of Anglophone elementary students are enrolled in these programs. Department of Education policy requires that immersion be offered if demand from parents is sufficient to form a class. School districts are free to choose between the implementation of early or late immersion. In the current school year there are 10,740 elementary school children in the early immersion program beginning in grade one and 5,277 in late immersion beginning in grade seven.

Finally, following the publication of the Stern Report advocating improved teacher training, which we discussed in some detail last year, an education centre for teachers of French as a second language was established at the University of New Brunswick in Fredericton. The French Second Language Teacher Education Centre began this year to offer additional training to teachers of both core French and immersion programs at all levels of the school system.

Quebec

The second-language teaching of both official languages is of particular importance in Quebec. For Francophone parents the question is how to give their children a knowledge of English without harming their first-language skills, and for Anglophones it is a question of enabling them to learn French to share fully in Quebec life.

Against a backdrop of disquieting reports about the quality of French language instruction in Quebec schools, debates continue to be waged about when English should be introduced as a second language in primary schools. The small quantity of English language instruction, often less than 120 minutes a week, currently being offered in some Quebec schools is also causing concern to those French-speaking parents who feel it essential that their children have a good command of Canada's other official language. Both sides of the debate were set out in the April issue of *L'Actualité* in interviews with André Langevin, Directeur des études à la Commission des écoles catholiques de Montréal, and Gilles Bibeau, linguist and professor at the University of Montreal. Mr. Langevin pointed out that parents basically want their children to succeed in life, and see individual bilingualism as essential to that success. He added that "Anglophones are more and more bilingual; most Allophones speak three languages. They will have definite advantages over Francophones". (Our translation.)

In support of not beginning English before grade four, Gilles Bibeau argued that a second language "isn't learned in one or two hours per week; primary school education must, first of all, provide a solid base. There are already too many subjects being taught. English lessons mean cuts in other basic programs. The less time one spends in one's mother tongue, the less well one masters it; recent studies demonstrate that secondary students learn English more easily and more quickly than primary school students". (Our translation.)

Students from other language backgrounds are beginning to favour the Protestant School Board of Greater Montreal (PSBGM) over the Montreal Catholic School Commission (MCSC), because, among other reasons, they want more English instruction. (The PSBGM begins English instruction in grade one, while the MCSC begins in grade four.) Press reports of studies on the optimum amount of English as a second language instruction show that, although the official curriculum policy recommends 120 minutes of English-language instruction per week for grades four, five and six, fewer than half the pupils are in fact receiving that amount.

The Quebec Superior Council of Education supports the Education Ministry's proposal to increase English instruction in Quebec's French-language schools, but on condition that the current system be improved. The findings of Council studies on ESL in Quebec schools show that, in a number of cases, teachers do not speak English well and, in some instances, hardly use it at all.

In an open letter to the Minister of Education, published in their newsletter *Speaq Out*, the Société pour la promotion de l'enseignement de l'anglais langue seconde au Québec recommended that:

- the time allotted for the teaching of English in the second cycle of primary education (120 minutes per week) be fully used;
- special attention be given to students who can benefit from enriched courses; and
- assistance be provided to teachers to upgrade their skills.

Meanwhile, in both school systems, alternatives to immersion are being suggested and in some cases tried out. For example, the Committee for Anglophone Social Action (CASA) in the Gaspé region has proposed a "twinning" concept which calls for an equal number of English and French students to exchange schools for a year. CASA argues that the English school system will be supported in this way while personal goals of functional proficiency in the second language can also be achieved. In the Châteauguay area, a bilingual program has been introduced, and in a few Montreal schools a very interesting experiment, whereby Francophone students in grades four, five or six spend half their year studying English, is being conducted.

In Quebec, as in some other provinces, the denominational structure of the educational system presents certain difficulties for language. During an interview with *Le Devoir* in December, Premier Robert Bourassa stated his government's intention to undertake a second round of constitutional negotiations to obtain amendments to Section 93 of the Constitution which would, in turn, enable Quebec to amend its Education Act to allow a restructuring of the school system along linguistic rather than denominational lines. Alliance Québec supports this restructuring proposal, for without some such adjustment they feel that Anglophones may become minorities within the Catholic and Protestant systems. In the past, for historical reasons, Protestant schools and school boards were predominantly English-speaking.

Ontario

September marked the coming into effect of Ministry of Education Memo 58. Issued in 1986, this Directive requires all English-language school boards to provide elementary school children with at least 600 hours of French instruction, beginning no later than grade four and ending by grade eight. This new policy may impose some hardship on a few boards, but most school boards over the past few years, with Ministry encouragement, have developed core programs of at least 600 hours at the primary level; indeed, some are exceeding that norm by beginning French instruction in grade one. The requirement of one French second-language credit for the Ontario Secondary School Diploma remains unchanged. Students are, however, encouraged to take additional French credits, and boards are now required to offer French courses to the end of grade twelve.

The Ministry of Education has published new requirements for second-language teachers. With certain exceptions, only teachers with the approved Ontario Teacher's Qualifications in French as a Second Language may be assigned to teach this subject. The Ministry also published a new Curriculum Guideline, entitled "French as a Second Language", which describes the rationale, aims and content of the Ontario Academic Courses in French and their planned development over the period 1987 to 1996. It spells out the three principal types of program: core French, extended French and immersion. The core program, which will provide a minimum of 1,080 hours of French over a student's career, should enable Ontario school graduates to do various things in French: carry on a straightforward conversation; read a book with the aid of a dictionary; and generally understand TV programs in which they are interested.

The extended French program is to offer 2,100 hours of instruction in French and will include other subjects *taught* in French. It is designed to enable graduates to participate freely in conversation on familiar topics and have some understanding of the culture of French-speaking Canadians. Finally, an immersion program of some 5,000 hours is expected to equip students to "live in a French-speaking community or accept employment in which French is the working language, after a short orientation period."

French second-language programs continued to be very popular in Ontario this year. All across the province, school boards were extending their French curricula. As of June 1987, some 10% of all English-speaking elementary school children in Ontario were enrolled in immersion programs. No fewer than 86 school boards, 56% of the total, offered immersion, and an additional 54, or 35%, had extended French programs. In all, an estimated 68.7% of the province's one million English-speaking elementary school children were enrolled in French second-language programs, an increase of almost 4% over 1986.

The rapid growth in French as a second language has, however, created some problems, and school administrators have on occasion been caught off guard. Too few immersion places were planned in Hamilton in 1987, with the result that some parents had to wait 24 hours in line-ups to ensure that their children could be placed in the coveted classes. The Dryden Board began two immersion programs last year, but with insufficient funds, which meant that they had to be cancelled in 1987 and the children's academic progress interrupted. Other districts had trouble transferring students in different academic tracks from one school to another, causing inconvenience to parents and pupils alike. Such was the case in Peterborough and Cornwall. Designation of particular schools as immersion centres has created busing problems.

While the Ministry of Education has put out detailed directives on the teaching of French as a second language, it has perhaps not paid sufficient attention to the complex and sensitive question of the teaching of English as a second language to the 100,000 children in the province's French-language schools. Ministry

directives state that English as a second language is compulsory from grade five; but there is no prescribed minimum number of hours at this level. In grades seven and eight, Francophone children take between 60 and 120 hours of English each year. Most school boards provide rather more than the mininum requirements, but care should be taken that Francophone students leave high school with a sufficient command of English to compete in the work force while maintaining and developing strong skills in their mother tongue.

Manitoba

The study of French as a second language is not compulsory, but for those school divisions which choose to offer the program, there is a compulsory component from grades four to twelve. Enrolment in immersion continues to increase and access to it is improving as school divisions warm to the idea. An estimated 16% of FSL students are enrolled in immersion programs. According to Canadian Parents for French, the basic questions with respect to immersion programs have been settled in Manitoba. Now CPF and many local school boards are working together to assess the quality of immersion offerings, studying, for example, drop-out rates in immersion programs at the high school level. A number of school boards in the greater Winnipeg area are looking at the idea of regrouping students in order to offer a wider range of immersion programming. Meanwhile, because of the increasing number of high school students taking immersion in their area, the St. Vital school division has announced that it will build a French immersion high school to open in September 1989.

The controversy over busing French immersion students to distant schools unfortunately remains unresolved. In the Court of Queen's Bench, parents in Thompson had won a case against the Mystery Lake School Division on the grounds that the board was discriminating against French immersion students by refusing to pay busing costs, but they lost in the Court of Appeal in August 1986. They then took their case to the Supreme Court of Canada, but were denied leave to appeal. Although the Court did not give reasons for its refusal, it was probably because the case concerned detailed interpretations of the School Act, and this was not considered to be an issue of nation-wide importance. Parents currently transport their children by hiring buses and collecting fares. They are continuing the fight by taking the matter up directly with the Minister of Education, who recently became President of the Council of Ministers of Education, Canada.

Saskatchewan

A somewhat controversial report entitled "French Education Directions in Saskatchewan" was prepared under the auspices of the provincial School Trustees Association Research Centre to assist school trustees in planning French education in the 1990s. The tasks facing school boards are discussed in the introduction of the report: "We have learned that there is more to bilingual education in this province than the simple teaching of French. There are issues of school organization; English education; general student welfare; staff development; hiring and retraining; appropriate acquisition and consolidation of resources; assessment

issues relative to the various French programs." The report discusses immersion, core French and extended core, secondary school programs, staffing and evaluation, and adopts the position that there is no one ideal second-language curriculum but a range of possible options. Various combinations of different types of French as a second language education are proposed. The report also claims that the present Department of Education goal that FSL programs in Saskatchewan will produce graduates with communicative competence in French is unrealistic given the time allotted in the curriculum.

The teacher shortage in Saskatchewan is critical for both FSL and minority language education. The rapid increase in demand for immersion programs over the last few years has placed Saskatchewan school boards in a difficult position with respect to both the quantity and the quality of its French teachers. School boards are hopeful that the postgraduate programs in French teaching offered by the Universities of Saskatchewan and Regina will help meet some of the demand, but undoubtedly Saskatchewan will have to continue to recruit from outside the province, which is no longer an easy task.

Alberta

In June 1987 the Minister of Education tabled Bill 59, a new School Act which gives Francophone parents the right to have their children educated in French where numbers warrant. The Bill also clearly differentiates for the first time between French immersion and minority language education. It does not address the issue of management of minority language schools, however, a matter discussed in our chapter on language rights.

One proposal in Bill 59 is causing some disquiet to Canadian Parents for French, since it may create problems for French immersion programs. It provides that payment of school taxes to separate school boards may be made only if one's religious affiliation coincides with that of the Board. In Alberta most immersion programs in rural areas have been introduced by Catholic boards, while in Calgary there are many Catholic students attending immersion programs set up in public non-denominational schools. Under the new Act, arrangements would have to be made between boards to pay fees for non-resident students in special programs such as immersion. Without clearer Ministry guidance this could lead to some awkward situations. The recently introduced French immersion program in Wetaskiwin, for example, may be in jeopardy unless satisfactory tuition agreements can be worked out with two other school jurisdictions.

Albertans who prefer the immersion option for their children have other worries too. Some Camrose parents are considering legal action against their school board to back demands for French immersion classes starting in grade one. They plan to invoke the Charter of Rights and Freedoms in this bid for a fully bilingual education. The board's policy permits only late immersion (grades six to eight), and the board feels that introducing new early immersion programs at this time would be too costly.

Parents in Calgary have been taken by surprise by public school board plans to introduce busing and lunchroom supervision fees for students who are not enrolled in their local community schools. About 2,000 students in bilingual schools will be affected. Parents are angry that the board has promoted and offered bilingual education and is now making it more expensive to obtain. The problem has been only partially resolved by the board's decision to put a ceiling on the fees charged to a single family.

French programs in Alberta face a serious teacher supply problem. In 1983 the province required 158 additional teachers for its FSL programs; by September 1986 this number had risen to 276. Alberta universities are unable to recruit enough candidates within the province to meet their targets for trainee FSL teachers. The Faculté Saint-Jean of the University of Alberta is producing about 65 B.Ed. graduates per year. The University of Calgary, meanwhile, is considering the introduction of a Bachelor of Education (French) program in its Faculty of Education. While this will certainly stimulate awareness about opportunities in this field, more information about teacher vacancies may have to be provided to secondary school students who are about to make career choices. A number of educators also see the introduction of such a program at the University of Calgary as possibly competing for funds with the Faculté Saint-Jean. Alberta's three universities should try to work together toward a solution which would concentrate French course offerings as much as possible in their only predominantly Francophone post-secondary institution.

British Columbia

Along with changes to the Programme cadre de français for Francophones, the Ministry of Education last year introduced revisions to policies governing French immersion programs from kindergarten to grade twelve. The policy for French programs has been under review since 1982 when the Ministry established an Advisory Committee composed of district administrators, teachers and representatives from parent groups. There was also a period of public consultation on the policy, from the fall of 1986 to March 1987. Funding for immersion, as well as for all Programme cadre classes, will be incorporated into each school district's regular budget for support services, space, transportation and instructional services, as is now the case for mainstream English programs. This initiative is welcome and should help relieve some of the growing pains of the past. However, some parents and teachers feel that this policy will not alleviate all the difficulties immersion programs are experiencing. The British Columbia chapter of Canadian Parents for French would like the policy to contain a guarantee that once an immersion program is implemented, it will be continued. For this proposal to work, the introduction of immersion programs would clearly have to be planned and co-ordinated over a good many years. Although the planning process might delay the start of some programs, in the long run it would probably ensure greater fairness to everyone involved.

Frustrated by the cancellation of a French immersion kindergarten, a group of parents in Saanich decided to sue their school board for its re-instatement, arguing that their children had a right to French-language instruction under Section 23 of the Charter of Rights and Freedoms. The British Columbia Supreme Court ruled, however, that Section 23 does not create a right for the English majority to have their children taught in a French immersion program. The judge observed: "Section 23 does not guarantee majority rights, which [the petitioners] already have; rather it guarantees rights to the English or French linguistic minority populations residing in each province to have their children receive education in the language of the minority."

Yukon

Immersion programs are progressing well and are now available up to grade seven. A comprehensive evaluation of these programs is being conducted by the French Study Group of Simon Fraser University and should be completed by early summer 1988. Core French is compulsory in grades five to ten and in some schools, in response to parental demand, its introduction from grade one is being tried out.

The small number of Francophone students (fewer than 50) makes the École Émilie-Tremblay in Whitehorse rather vulnerable to pressures to make it a bilingual school. It is therefore particularly heartening to see that Canadian Parents for French fully supports the school's wish to maintain a homogeneous atmosphere for its Francophone students while inviting them to join forces with FSL students for gym classes. Grouping immersion students with Francophone students in this way makes it possible to hire a French-speaking gym teacher and thus kill two birds with one stone.

Northwest Territories

Core French is not compulsory, although in some school jurisdictions it has been offered continuously for over 20 years. It is now available in 21 schools in nine territorial communities. Overall enrolment is 3,500.

There are also 307 immersion students in Yellowknife. Four schools offer this option. The public school board program begins in grade four and the separate school program in kindergarten. The fact that the number of students in immersion starts to decline in later grades, especially in grades nine and ten, could put some classes at risk of having too few students in the future. To forestall such problems, the local chapter of CPF is looking at the possibility of having the two school boards stream students from both school systems into one group in the higher grades.

Post-Secondary Education: "The Spirit of Saskatoon"

The following chapter discusses the need for post-secondary education in French, both for Francophones outside Quebec and for bilingual Anglophones, and examines some of the difficulties in post-secondary education facing English-speaking Quebecers. Additional information on recent developments in minority language post-secondary institutions can be found in Part IV.

After hearing complaints about the lack of post-secondary opportunities for Francophones outside Quebec, the Standing Joint Committee on Official Languages recommended last June that the federal government add this issue to its agenda for the National Forum on Post-Secondary Education (PSE) in Saskatoon last October, and the latter obliged. Co-sponsored by the government and the Council of Ministers of Education, Canada, the Forum aimed to help the country prepare for the educational challenges of the 21st century. Some 600 participants representing a wide cross-section of Canadians debated the challenges and opportunities facing post-secondary education: access to and participation in the post-secondary system and the framework for managing and financing education at this level. The issue of post-secondary education for Francophones was covered mainly in terms of its accessibility.

Principal issues

Several main issues confront post-secondary education: how to adapt investment to future needs; the rising numbers of post-secondary institutions, students and programs in relation to reduced financing; and the competition among institutions which must, in part at least, pay their way by attracting sufficient numbers of students. Media reports on the Saskatoon conference spoke of jurisdictional squabbles and of the need for co-operation between the federal and provincial governments in developing a national policy for post-secondary education and research. Some broad guidelines were, in fact, agreed on and, as the *Globe and Mail* concluded in an editorial, "Clearly, action must follow."

Planning

While there are differences in scale, the planning problems with respect to post-secondary education in the official languages are closely related to the central themes of the Saskatoon Forum: a better distribution of resources in relation to

contending needs and goals, and the uneven geographic distribution of potential clients, which aggravates problems of access to higher education.

Minority and second-language issues

Access has been a top priority for Canada's higher educational institutions for several decades now. Opportunities to benefit from post-secondary programs have been growing through the expansion and diversification of universities and colleges and through financial assistance to those individuals most in need. By and large this policy has been successful: enrolment in post-secondary institutions has risen dramatically since the early 60s; full-time enrolment alone has increased almost fivefold. There are now over one million students enrolled in full or part-time education at this level.

But not all groups have benefited equally from this remarkable progress. Among the principal "winners" have been women and French-speaking Quebecers, although for both there is still room for progress at the graduate level. Francophones outside Quebec have not, as a rule, shared in this success. Their opportunities vary considerably according to local numbers and the province in which they live. Altogether, there are some 70 degree-granting universities and more than 150 community colleges across Canada, but very few even partially French-language institutions outside Quebec. Francophones in the other provinces most often attend a bilingual university or college or enrol in an English-language institution.

Ontario

Even in Ontario, where there are some bilingual institutions but no French-language university or college, Francophones do not enjoy a full range of post-secondary opportunities. Early in 1987, two working groups were established to look into this problem, one for colleges, the other for universities. Composed of Ministry of Education officials and representatives of the institutions involved, each is responsible for developing plans to increase academic offerings in French and to provide other facilities to meet the requirements of the province's French Language Services Act. To provide French-speaking Ontarians with opportunities not available to them within the province, Ontario has negotiated an agreement with Quebec and certain Quebec universities to reserve places for students who meet their entrance requirements. The home province will pay the cost of this education; the priority areas are medicine and dentistry. While useful in itself, this arrangement does not necessarily help the development of French PSE outside Quebec.

Concentration of resources

One way of meeting future challenges that was much talked about in Saskatoon was the proposition that "excellence" may mean concentrating expertise in particular disciplines in a few institutions rather than having each one offer a complete range of post-secondary programs. Outside Quebec, French-speaking student numbers are small, their needs are special, and neither expertise nor resources are unlimited, all of which makes this an area where the principle of concentration should be pursued seriously. It seems to us worthwhile, for example, to arrange for University of Manitoba students to take at least some of the courses

they want to take in French at the Collège universitaire de Saint-Boniface. This would serve the dual purpose of bolstering the resources of a minority institution while providing a Francophone milieu for immersion and other Anglophone graduates who have become proficient in French. For practical reasons, Saint-Boniface professors might have to give some courses at the University of Manitoba campus, but the important thing would be that overall responsibility for providing quality French programs would remain with Collège Saint-Boniface rather than spread over a number of University of Manitoba faculties. It also appears reasonable to suggest that the French-language Bachelor of Education program in Alberta be largely concentrated at the University of Alberta's Faculté Saint-Jean, which has responded so well in recent years to providing graduates in this area.

We recommend that the Secretary of State's Department, in co-operation with the Council of Ministers of Education, give careful consideration a) to increasing support and funding to existing post-secondary institutions for Francophones outside Quebec which play or may play an important regional role; and b) to creating new institutions where they may be needed. To be sure, it will require creative co-operation among all parties to make the most of the regional role of institutions such as the Université de Moncton, Collège Saint-Boniface, Faculté Saint-Jean and Université Sainte-Anne and to make all of them more attractive centres for minority language education. Such a policy would, however, greatly reinforce the institutions involved and provide focal points for the Francophone minorities.

Bilingual Anglophones

Another group to be considered when discussing post-secondary education in French consists of immersion and other English-speaking high school graduates who have become proficient in French. Given that large numbers of bilingual Anglophones are expected to enter university in the next few years, it is important that their French-language needs be properly assessed now. Although the numbers entering English-language or bilingual universities are still relatively low, preliminary studies on their course selections can already direct further research and contribute to better planning. One such study completed in late 1986 was the "Post-Secondary Follow-up of Former French Immersion Students in the Ottawa Area", undertaken by researchers at the University of Ottawa. The study traced 103 recent graduates of bilingual high school programs entering the universities of Ottawa, Carleton, Queen's or McGill, including 81 graduates from the Ottawa and Carleton Boards of Education who had previously completed early or late immersion programs. Besides developing and refining a methodology for other follow-up studies, this research tried to find out how these post-secondary institutions were responding to the new clientele of bilingual Anglophone students.

It found that bilingual high school graduates in first-year university studies have high levels of functional ability in all the French skills that were tested (listening, reading, speaking, vocabulary and integrated knowledge of the written language). The students do not have any great anxiety about using French; on the contrary,

they report a strong desire to use and to continue learning the language. According to the researchers, however, the frequency with which these first-year university students actually use French is quite low, both in their studies or in leisure or other pursuits. The students in this study who came from the Ottawa and Carleton Boards of Education reported an average of two television hours per month in French, one French book read in three months, one French movie every two months and approximately 4.4 hours per month spent in other uses of French.

Although many immersion students have enough second-language proficiency to be able to do some of their course work in French alongside Francophone students, they tend not to do so at present. Of the 78 immersion graduates in the pilot study at the bilingual University of Ottawa, 24 took no French courses at all during their first year. The average number of courses taken by these students in French in 1985-86 worked out to 0.8, which struck the researchers as low in relation to the opportunities available. It was nevertheless significantly higher than the average for students at the other universities involved. All four universities declared themselves ready to make program changes to meet the special French needs of bilingual Anglophones. The problem was mainly one of recruitment; because they have other educational priorities, bilingual Anglophone students may not yet be creating sufficient demand to make such courses viable. Credit courses may not, of course, be the answer; research should perhaps be directed at determining what other types of activities students might find helpful for retaining and improving their French skills at university. With so much already invested in acquiring their second language, it would be unfortunate if appropriate opportunities for continuing development could not be found at the post-secondary level.

Quebec

Although the difficulties facing English-speaking Quebecers are not as acute as those experienced by the Francophone minorities, they do exist, especially at the CEGEP (Collège d'enseignement général et professionel) or community college level. Outside Montreal there are few English CEGEPs and where English programs are available within a French CEGEP, as at Sept-Îles, program choices tend to be few and the enrolment low. The Anglophone community would like to see more English CEGEPs established outside Montreal and a program to help defray costs for students from outside the area who choose to attend a CEGEP in Montreal. There is good news in the Outaouais region, however, where a long community-based struggle has resulted in a notable victory. Quebec's Minister of Education announced in August that the Heritage Campus of the Collège de l'Outaouais in Hull will become an autonomous institution in the fall of 1988. The new Heritage College will have its own board of governors and increased funding. It will also be able to offer its own adult education program to all English-speakers on the Quebec side of the Ottawa valley.

Distance education

Technological innovations have been making alternatives to correspondence courses increasingly attractive as a form of distance education. The modern equivalent of the peripatetic professor can be either a television set, a radio, or computer-linked telephone lines. In the latter case, normal classroom conditions

can even be reproduced to some extent by allowing instantaneous communication between teachers and students in different places. At the conclusion of a national colloquium on post-secondary distance education for Francophones in the fall of 1986, the Association canadienne d'éducation de langue française was given a mandate to establish a committee for a national network of post-secondary studies for French-speaking Canadians. Representatives of French-language and bilingual institutions from across the country have since held a series of meetings to plan for implementation of this network. There are a number of regionally based distance education networks already in existence, among which the University of Ottawa, CANAL (Corporation pour l'avancement de nouvelles applications des langages, ltée.), Télé-Université, Faculté Saint-Jean and Université de Moncton provide courses in French. The creation of a national network is a much more complex undertaking. How should the network be chartered and how can the students be given suitable credit without jeopardizing the existence of smaller institutions? Answers to questions like these still have to be found, but a national distance education network looks like one very promising solution to higher education problems in French outside Quebec.

English-language universities might also explore the possibility of using distance education techniques to supply French courses for English-speaking students. Distance courses given by French-speaking professors might prove more attractive than an arrangement whereby relatively bilingual Anglophone staff teach their regular courses in French. Questions of this kind should certainly be added to the debate on how to provide opportunities for bilingual Anglophones and minority Francophones in the way that is best adapted to their respective needs.

As we move into the 90s, a crucial challenge is to provide equality of opportunity at the post-secondary level for Francophones outside Quebec. In principle, it is a need which in some instances can and should be dovetailed with post-secondary French programs for bilingual Anglophones, but the best means of doing this are still to be fully worked out. If this challenge cannot be met by our post-secondary institutions we will be in some danger of losing what is now beginning to be invested at the school level. "The Spirit of Saskatoon" calls for the orderly but imaginative adaptation of Canada's higher education system to the needs of the future. The official languages aspect of that adaptation is likely to prove as critical to national development as almost any other aspect we can think of. **We strongly recommend that equal access to post-secondary education in English and French be considered a key goal in the consultative planning process launched at the National Forum in Saskatoon.**

APPENDICES

Office of the Commissioner: Sense and Sensibility

The Commissioner of Official Languages has three principal roles. Under the Official Languages Act, he is a linguistic ombudsman, acting to protect the language rights of all Canadians; as a linguistic auditor, he oversees the compliance of federal institutions with the Act; and, as a promoter of language equality, he is empowered to take initiatives to further language reform, in particular by ensuring that Canada's official language minorities receive the protection they require to retain and develop their distinct identities.

The Commissioner also has a statutory responsibility under the 1969 Act to recommend "any proposed changes in [the] Act that he deems necessary or desirable...". This duty has been particularly compelling over the past two years of preparation for Bill C-72, now before Parliament.

In 1987 the Commissioner also took the extraordinary step of submitting three Special Reports to the Governor in Council. The purpose of these Reports was to involve government as a whole in the search for solutions to chronic problems. They dealt with aspects of service to the travelling public provided by Canadian National and Via Rail; the Treasury Board and Anglophone under-representation in the federal Public Service in Quebec; and language of work in the Department of National Defence. In due course, the Governor in Council responded to the three Reports and the institutions concerned committed themselves to appropriate corrective action. These matters are discussed in Parts II and III.

In March 1987 the Commissioner's Office made public a report presenting recommendations aimed at fostering bilingualism, on a voluntary basis, in the private sector and in national voluntary organizations.

Our last three Annual Reports emphasized the need for a thorough renewal of Canada's language reform in federal institutions if the principle of equality of status and privileges of Canada's official languages enshrined in the Charter of Rights and Freedoms is to be generally applied. The 1986 Report heralded 1987 as the "Year of the Test" for the federal and provincial governments in their respective jurisdictions. Many of the Commissioner's activities therefore focused on the pursuit of the goals and proposals contained in these Reports.

The Commissioner's program, as usual, involved extensive contacts with the country's leaders at all levels and in all walks of life. In 1987 he visited nine provinces. In his meetings with the provincial premiers and their Cabinet colleagues, senior public servants, minority group representatives, educators, opinion leaders and the media, he discussed the rights and requirements of minority communities and the need for closer relations between these groups and their governments.

The numerous public occasions on which the Commissioner was able to put forward his views included the 55th convention of the Association canadienne-française pour l'avancement des sciences (ACFAS), where he discussed the situation of French in the field of science and new approaches to problems, and the celebrations marking the 75th anniversary of the Association culturelle franco-canadienne de la Saskatchewan. Opportunities of this type are doubly helpful. They provide him with a firsthand understanding of sectoral or regional problems and with opportunities to stress his support for specific aspects of Canada's official languages programs. Proposals developed for the the ACFAS Conference have resulted in the Treasury Board establishing a committee on science and language, on which a senior member of this Office's staff acts as an observer. The Committee's findings and recommendations are expected in April 1988.

The Commissioner's function of informing both politicians and the public of language problems and possible solutions included testimony at some 20 meetings of the Standing Joint Committee on Official Languages and at one of the Standing Committee of the House of Commons on Communications and Culture. He held several press conferences and gave some 30 formal speeches and 113 personal interviews. Another 23 interviews were given by his spokespersons.

In February 1987 the Commissioner appeared through counsel before the Prince Edward Island Supreme Court in the provincial reference on the conformity of the province's School Act with Section 23 of the Charter of Rights and Freedoms. In October 1987 he also sought and obtained leave to intervene before the British Columbia Court of Appeal (acting as the Appeal Court for the Yukon) in the Daniel St-Jean case, which raises the question of the status of the French language in the Yukon. In 1986 the Commissioner had appeared before the Alberta Court of Appeal in the Bugnet case; he sought leave to intervene in that case before the Supreme Court of Canada in January 1988.

The Commissioner is assisted in his duties by a Deputy Commissioner, five branches at headquarters, six regional offices and six part-time liaison officers throughout Canada.

New senior appointments to the Office were Stuart Beaty as Special Projects Adviser, Carmelita Boivin-Cole, who succeeded him as Director of Policy Branch, and Emmanuelle Gattuso as Director of the Communications Branch.

The duties of the Office's various branches are obvious from their titles and were described in last year's Report. Following are some of the new initiatives taken during the year.

The **Policy Branch** analysed the design phase of two minority official language community studies (Welland and Sherbrooke) and commissioned a detailed study on the availability and use of institutional supports and their bearing on socio-linguistic choices in those communities. It sponsored three studies on certain "mother tongue" data in the 1981 census, contributed to the funding of a language component in Statistics Canada's General Social Survey and commissioned an assessment of the potential impact of the historical and legal contexts of school management for official language minorities.

Faced with a continuing increase in the number of complaints, the **Complaints and Audits Branch** reviewed its procedures. It is completing a new manual for the complaints-handling process, which will lead to simplification of procedures, shorter resolution time and additional quality controls. Through the Complaints Evaluation and Allocation Centre, certain complaints were investigated on a grouped basis to provide an insight into systemic barriers to language reform in federal institutions.

Major federal institutions have been audited on a five- or six-year cycle, smaller institutions on a longer cycle, but in future there will be a greater concentration on organizations with significant problems. The cycle will be extended for those whose performance is judged to be within reasonable limits. Follow-ups to ensure that recommendations have been acted on will continue to take place 12 to 18 months after the completion of audits.

The Branch conducted 22 audits, follow-ups and studies in 1987. It received 2,657 complaints and requests for information, of which 2,185 were complaints against federal institutions.

One highlight of 1987 for the **Communications Branch** was the publication of *Agenda*, an illustrated calendar-diary for 12 to 14 year-olds, filled with information on official languages. It was distributed through youth groups and associations and received an enthusiastic response.

Membership of the Advisory Committee on the Youth Program was expanded from six to 12 members. It is now composed of representatives of all provincial ministries of education (except British Columbia), the Yukon and the Council of Ministers of Education, Canada.

From the appearance of its first issue in fall 1979, *Language and Society*, the Commissioner's review, had maintained its original appearance and editorial approach for nearly eight years. With issue No. 20 (fall 1987), the "New Series" brought changes: direct focus on specific target audiences, editorials, bright new design, a larger number of shorter articles on a greater variety of subjects and an informative and spirited editorial direction. Special reports on *la Francophonie* and the Commonwealth were included in the fall and winter issues to mark the Francophone Summit in Quebec City and the meeting of the Commonwealth heads of state and government in Vancouver. Circulation for the New Series increased from 6,500 to 10,500 subscribers during the year.

In April 1987 **Regional Operations** opened the Commissioner's sixth regional office, in Toronto, joining those in Moncton, Montreal, Sudbury, St. Boniface and Edmonton. To provide additional service to the public in the most economical way, the Commissioner also appointed six part-time liaison officers. Working out of their homes and reporting to the regional offices, they will bring the Office's presence to areas in which it had previously had no local representative: St. John's, Newfoundland; Wellington, Prince Edward Island; Meteghan River, Nova Scotia; Sainte-Foy for the Quebec City and Gaspé regions; Prince Albert, Saskatchewan; and North Vancouver, British Columbia.

The **Resource Management Branch** is responsible for all aspects of the Office's budget, resources and personnel management. Representation of women in the Office stood at 52% in December 1984, 60% in 1987. They comprised 20% of the Management category in 1984, a figure which had risen to 27% by 1987, while 50.6% of officers were women in 1984 compared to 54.2% by 1987. In 1987 Anglophone participation in the Office was approximately 28%. This increase of a little more than 3% represents the modest results of a renewed effort to interest qualified Anglophone candidates in applying for positions: in 1987, nine of 19 new appointments were of Anglophones. In the Management category (Senior Managers and Executives) the percentage rose from 27 in December 1984 to 40 as of January 31, 1988. It is clear from the number of candidates presenting themselves at competitions that the mandate of the Office attracts more Francophones than Anglophones. Another factor at play is no doubt the relative percentages of the two groups within the Public Service at large who meet the high standard of individual bilingualism required. The balance is not satisfactory, however, and recruitment of Anglophones remains an important priority which has been put in the hands of an ad hoc committee chaired by the Deputy Commissioner.

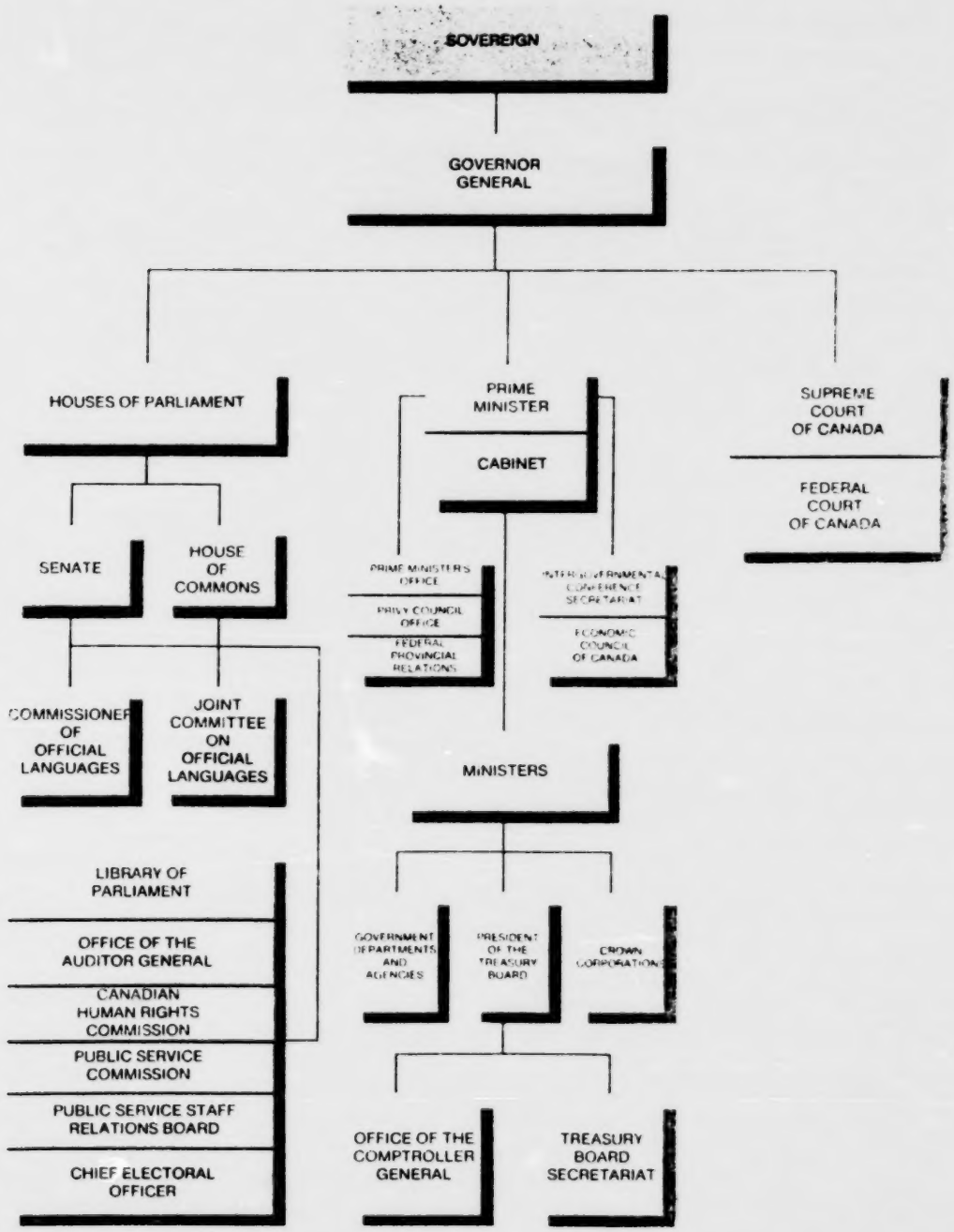
The number of person-years increased from 152 in 1986 to 160 in 1987 due to implementation of recommendations made in a report in which Public Service Commission auditors called for certain personal service contracts to be converted to regular positions.

Office of the Commissioner of Official Languages: Staff and Budget 1988-89

Branch	Person-years	Budget $000s
Policy	13	950
Complaints and Audits	53	2,706
Communications	22	2,630
Regional Operations	32	1,935
Resource Management	40	1,970
TOTALS	**160**	**10,191**

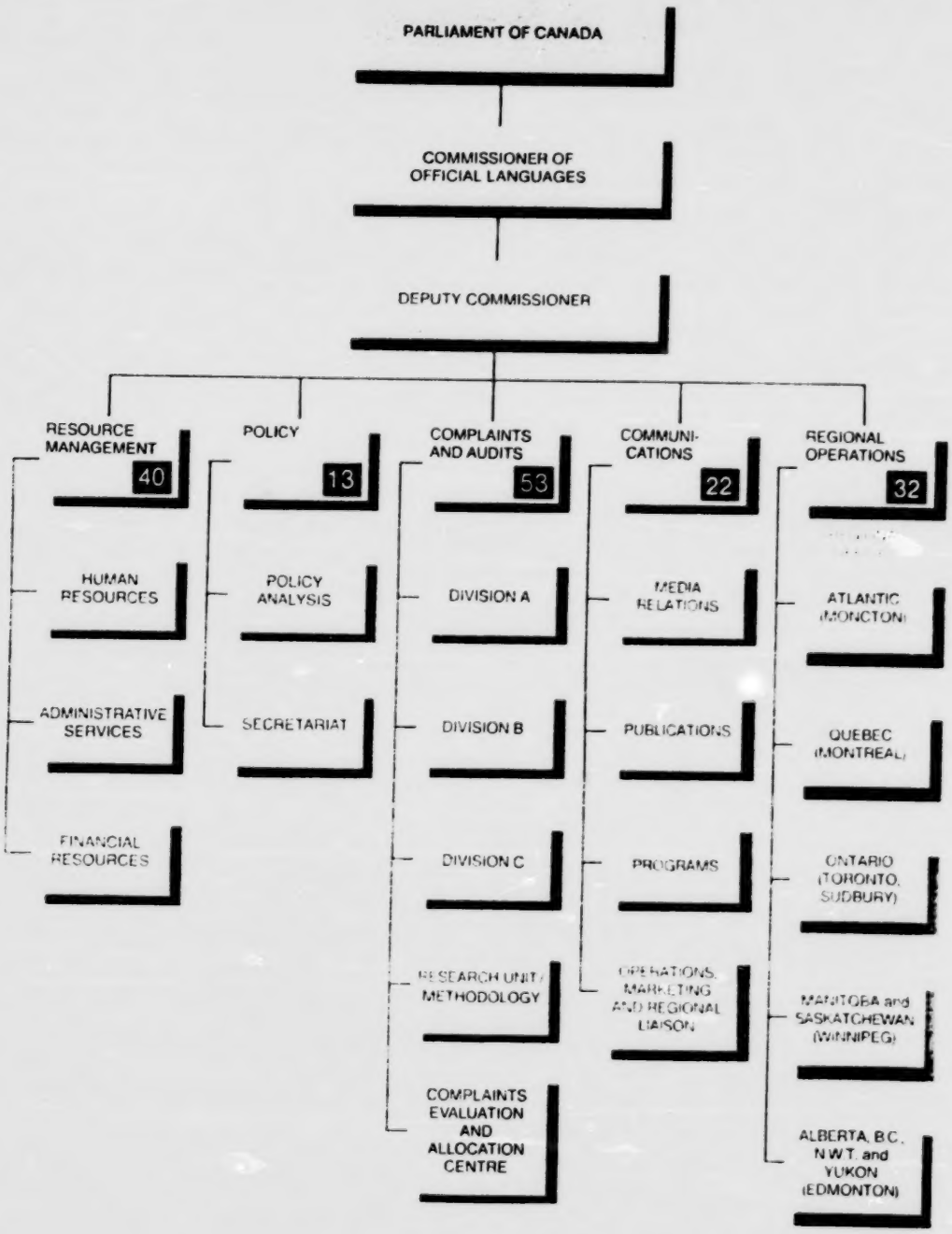
GOVERNMENT OF CANADA
Abridged Organization Chart

1



OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES

Organization Chart



■ person-years

COMPLAINTS

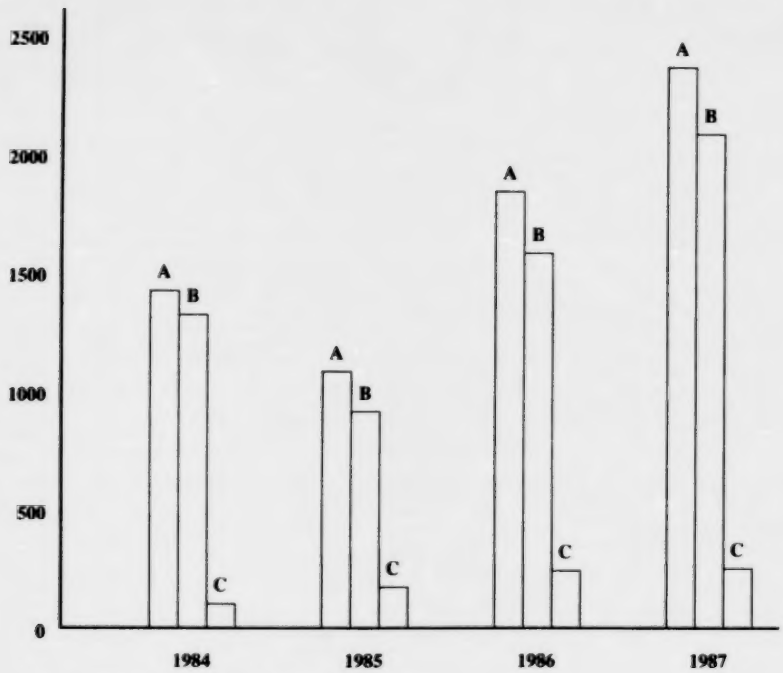
A.1

Number of complaints received from each province, 1970-1986 and 1987; jurisdiction and nature of complaints, according to the language of infraction, for each province, 1987

	1970-1986	1987									
	Total complaints received	Communications	Complaints	Jurisdiction		Nature of complaints concerning					
						French			English		
	Number	Number	Number	Federal	Non-Federal	Service	Work	Participation	Service	Work	Participation
Newfoundland	123	65	60	60	0	59	1	0	0	0	0
Prince Edward Island	232	77	74	67	7	71	2	0	1	0	0
Nova Scotia	878	528	516	503	13	510	1	1	4	0	0
New Brunswick	1,559	227	194	164	30	173	11	1	6	3	0
Quebec[a]	4,071	248	219	204	15	102	37	1	74	4	1
Ontario[b]	10,866	943	775	709	66	559	163	19	21	8	5
Manitoba	1,159	200	185	172	13	176	4	4	1	0	0
Saskatchewan	672	62	53	50	3	48	5	0	0	0	0
Alberta	889	175	165	145	20	162	3	0	0	0	0
British Columbia	526	92	85	78	7	79	5	0	1	0	0
Northwest Territories and Yukon	33	22	19	19	0	18	1	0	0	0	0
Foreign	114	18	15	14	1	14	0	0	1	0	0
TOTAL	**21,112[c]**	**2,657[c]**	**2,360[c]**	**2,185**	**175**	**1,971**	**233**	**26**	**109**	**15**	**6**

[a] Includes the Quebec portion of the National Capital Region.
[b] Includes the Ontario portion of the National Capital Region.
[c] For the purposes of this table, 456 language-of-work complaints regarding CSIS have been regrouped and are counted as one.

A.2 COMPLAINTS OVER THE YEARS



Legend: A — Complaints (Total)
B — Service to the Public
C — Language of Work

	TOTAL	Service	Work	Participation
1984	1,421	1,326	95	
1985	1,080	913	167	
1986	1,840[a]	1,583	242	15
1987	2,360[a]	2,080	248	32

[a] For the purposes of this table, language-of-work complaints regarding CSIS (1,784 in 1986 and 456 in 1987) have been regrouped and are counted as one complaint.

A.3

AUDITS, FOLLOW-UPS AND SPECIAL STUDIES

Audits, follow-ups and special studies conducted in federal departments and agencies, 1985, 1986 and 1987

1985

Audits

Canada Harbour Place Corporation
CN Marine
Employment and Immigration Commission (Central administration)
Environment
Governor General
House of Commons
Integration of official languages in internal auditing
Prime Minister's Office
Privy Council Office
Regional Industrial Expansion
Royal Canadian Mounted Police (Central administration)
Supply and Services (Services)
Via Rail (language of work)

Follow-ups

Atomic Energy Control Board
Canada Council
Canadian Broadcasting Corporation (Engineering)
Canadian Broadcasting Corporation (General)
Canadian Radio-Television and Telecommunications Commission
Canadian Transport Commission
Communications (Government Telecommunications Agency)
Export Development Corporation
Federal Business Development Bank
Fisheries and Oceans
Insurance
National Arts Centre
National Health and Welfare
National Revenue (Customs and Excise)
National Revenue (Taxation)
Parks Canada
Petro-Canada
Public Works
Social Sciences and Humanities Research Council
Secretary of State (Translation Bureau)
Transport

1986

Audits

Air Canada (In-flight service, air operations and maintenance)
Canada Mortgage and Housing Corporation
Canadian Security Intelligence Service
Comptroller General
Consumer and Corporate Affairs
Information and Privacy Commissioners
National Capital Commission
National Defence (Military Colleges)
National Defence (Medical Centre)
National Museums
Public Service Commission
Royal Canadian Mounted Police (Training centre and Saskatchewan)

Follow-ups

Auditor General
Bureau of Pension Advocates
Canada Lands Company (Mirabel) Limited
Canada Lands Company (Vieux-Port de Montréal) Limited
Canada Lands Company (Vieux-Port de Québec) Inc.
Canada Place Corporation (before Expo 86 opening)
Canada Post Corporation
Canadian Cultural Property Export Review Board
Canadian Pension Commission
CN (Headquarters)
CN (Tower and hotels)
External Affairs
Governor General
National Film Board
Pension Review Board
Prime Minister's Office
Seaway International Bridge Corporation Ltd.
Senate
Tariff Board
Veterans Affairs
War Veterans Allowance Board

1987

Audits

Bank of Canada
Correctional Service of Canada (Atlantic)
Employment and Immigration Commission (specialized services in the West)
Farm Credit Corporation
Indian Affairs and Northern Development
International Development Research Centre
Medical Research Council
National Defence (language training)
National Defence (Ottawa installations)
National Revenue (Customs and Excise, Laboratory)
Supply and Services (Supply)

Follow-ups

Canadian Commercial Corporation
Harbourfront Corporation
House of Commons
Justice
Labour Canada
National Defence (Co-ordinators)
Regional Industrial Expansion (Tourism)
Science Council of Canada

Special Studies

National Defence (language of work and linguistic profiles)
New Brunswick (language of work)
Prince Edward Island (service to the public)

INTERESTED IN LANGUAGE MATTERS?

A.4

Publications, audio-visual materials, posters and kits produced by the Office of the Commissioner of Official Languages

ADULT MATERIALS[a]

Annual Report. A bilingual publication tabled in Parliament each spring. Provides Members of Parliament and Senators as well as the general public with a yearly assessment of progress achieved in the language reform program begun in Canada 18 years ago. About 230 pages in each language.

Annual Report In Brief. A brief yet comprehensive summary of the Commissioner of Official Languages' Annual Report to Parliament. The Summary is a convenient booklet for use at meetings, or for quick, easy reference. Approximately 16 pages in each language.

The Minority Challenge. An in-depth look at the problems of Canada's official language minority groups. An offprint of the Commissioner's Annual Report 1984. Small booklet format. Forty pages in each language.

Youth, Languages and Education. A comprehensive collection of facts about youth, language and education. An offprint of the Commissioner's Annual Report 1985. Small booklet format. Approximately 70 pages in each language.

Keeping up the Pressure. An offprint from the Annual Report 1986, this booklet describes the functions of the various components of the Commissioner's Office and summarizes the previous year's activities. Fourteen pages in each language.

Education: More Planning Please. This offprint from the Annual Report 1986 examines English and French second-language education programs and post-secondary education in French. Thirty pages in each language.

Language and Society. A bilingual quarterly magazine for those interested in language issues in Canada and in other countries. Provides a wide range of information and opinion by Canadian and foreign contributors. Thirty-two pages in each language.

Index to Language and Society. A bilingual title index of the articles contained in all the issues of *Language and Society* published to date.

Speeches. The Commissioner's speeches cover a wide range of subjects of interest to everyone who is concerned with the linguistic situation in Canada. A collection of nine speeches on such topics as language rights, official language minority communities, legislation, government services and education is available.

The Official Languages Act: What Does It Really Say? A bilingual leaflet explaining the Official Languages Act and the role of the Commissioner.

Explore the World of Languages. A catalogue describing materials for young people. Informative, entertaining and free of charge, these are produced by the Office of the Commissioner of Official Languages with a view to generating awareness of and an interest in Canada's two official languages. Fourteen pages in each language. An order form is included.

English or French it's your choice/À votre service en français et en anglais. Pins, decals and posters announcing that services are available in both official languages. Useful for government departments, public servants and other organizations and individuals who provide service to the public.

Languages of the World/Languages in Canada. The official or principal languages of more than 160 countries are featured on one side of this poster-map. The other side has a wide variety of information on English and French and the many other languages spoken in Canada and around the world. 90 × 60 cm.

Two Languages: The Best of Both Worlds. A bilingual poster, the theme of which is dramatized in bold colour and design. 53 × 70 cm.

English and French give Canada a special place. A bilingual poster published to commemorate the 15th anniversary of the Official Languages Act. 50 × 63 cm.

MATERIALS FOR YOUNG PEOPLE[a]

You Put It in Words. A collection of the best humorous, serious, thought-provoking original works of a creative writing contest held to celebrate International Youth Year. English selections appear on one side of the publication, French on the other. Approximately 40 pages in each language.

Share the Vision. A resource kit which gives unique insights into how young Canadians think and feel about living in a bilingual country. Each kit contains *You Put It in Words*, the *Fiction in Action* video and a Study Guide. Available to teachers and organizations only.

Languages of the World/Languages in Canada. A poster-map which illustrates the official languages of more than 160 countries on one side, and on the other gives data on English and French in Canada as well as on indigenous and heritage languages. 90 × 60 cm.

Explorations. A bilingual game inviting young people 12 years of age and older to discover our world's rich linguistic diversity and to learn about the roles of English and French as international languages. In the *Explorations* game, each roll of the dice whisks players to another part of the world. Designed for up to four players.

Oh! Canada 2. A bilingual kit for children eight to 12 years of age. It includes the *Oh! Canada 2* booklet (32 pages) that begins with a comic strip describing the amazing adventures of Hildie, Jamie, Michel and Geneviève, the mischievous turtle. The pages which follow contain games, puzzles and projects. The kit also includes a *Save Geneviève* game in which players travel across Canada to save the unlucky heroine, and a 33 1/3 RPM record called *Telephone*.

Save Geneviève. A multicoloured, iron-on transfer of Geneviève, the mischievous turtle in the *Oh! Canada 2* kit. Ideal for T-shirts. Fifteen cm. in diameter.

Feathered Friends. An attractive poster giving the English and French names of a variety of North American birds. 45 × 55 cm.

Owls Hoot. This colourful bilingual poster illustrates birds and animals and describes the sound each makes in English and in French. 45 × 60 cm.

English and French... in almost half the countries of the world. A bilingual poster showing, on colourful air balloons, the flags of countries where English and French are spoken. A legend on the back identifies each flag. 50 × 70 cm.

Canada Goose. Through six light-hearted illustrations featuring a Canada Goose character, this poster shows young Canadians nine years of age and under that federal government service is available to them in both official languages. 90 × 60 cm.

Agenda. A personal illustrated bilingual calendar-diary for 12 to 14 year-olds, filled with facts and figures about Canada and its two official languages. **Out of print.**

AUDIO-VISUAL MATERIALS[b]

Two Languages Together. Describes, with a light touch, the Official Languages Act and the role of the Commissioner. Recommended for training sessions, information meetings and seminars. Also available in a bilingual version, *Deux langues officielles, Why not?* and a French version. Slide show with taped narrative (60 slides and audio cassette) or 3/4-inch video cassette. Colour. Seven minutes.

Twice Upon a Time... Il était deux fois. A humorous look at bilingualism, Canadian style. Designed to stimulate discussion. Especially useful in seminars. Bilingual 16-mm. film or 3/4-inch video cassette. Colour. Ten minutes.

Bilingualism and Biculturalism, Twenty Years Later. Commemorates the 20th anniversary of the Royal Commission on Bilingualism and Biculturalism. Interviews with a number of opinion leaders who evaluate the effectiveness of language reform in Canada. Also available in a French version, *B.B. vingt ans après*. 3/4-inch colour video cassette. Thirty minutes.

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[a] To obtain any of these publications, please write to the Communications Branch, Office of the Commissioner of Official Languages, Ottawa, Canada K1A 0T8.

[b] Audio-visual materials can be borrowed from National Film Board libraries across Canada, as well as from the Office of the Commissioner of Official Languages.

OFFICIAL LANGUAGES PROGRAMS

B.1

Spending estimates and person-years allocated to official languages programs outside and inside the federal Public Service, 1986-87 and 1987-88

	1986–87		1987–88	
	Revised estimates $000	Person-years	Revised estimates $000	Person-years
EXTERNAL: PROVINCES, TERRITORIES AND ORGANIZATIONS				
Secretary of State				
• Transfer payments to provinces and territories for language programs	216,541		216,541	
• Transfer payments to official language minority groups	19,629		19,631	
• Transfer payments for bilingualism development programs	7,509		12,007	
• Operating expenditures	4,076	71	4,712	72
National Capital Commission				
• Contributions to external bilingualism programs	300	.4	0	0
Commissioner of Official Languages	9,809	145	10,609	152
Sub-total	257,864	216.4	263,500	224
INTERNAL: PUBLIC SERVICE, ARMED FORCES AND CROWN CORPORATIONS PROGRAMS				
Treasury Board				
• Official Languages Branch	5,126	64	5,150	64
Public Service Commission				
• Language training	36,794	703	33,334	588
• Administration and other programs	2,956	63	4,921	94
Secretary of State				
• Official Languages Services	89,505	1,588	84,394	1,477
Other departments and agencies	70,368	502	73,688	549
Armed Forces	42,027	1,131	49,652	986
Crown corporations	n.a.	n.a.	26,899	n.a.
Sub-total	246,776	4,051	278,038	3,758
TOTAL	504,640	4,267.4	541,538	3,982

n.a. No figures available

Sources: For 1986-87, reports from the departments and agencies concerned. For 1987-88, reports from the Treasury Board Secretariat.

B.2

THE TWO OFFICIAL LANGUAGE COMMUNITIES IN THE PUBLIC SERVICE OF CANADA

Participation in the Public Service by first official language and employment category

CATEGORY		ANGLOPHONES NUMBER	%	FRANCOPHONES NUMBER	%
Management	1981	1,148	79.5	296	20.5
	1987	3,511	79.9	882	20.1
Scientific and Professional	1981	17,210	80.1	4,267	19.9
	1987	18,180	78.1	5,094	21.9
Administrative and Foreign Service	1981	39,095	72.1	15,110	27.9
	1987	39,322	70.2	16,726	29.8
Technical	1981	21,518	80.8	5,122	19.9
	1987	21,520	79.2	5,638	20.8
Total officer	**1981**	**78,971**	**76.1**	**24,795**	**23.9**
	1987	**82,533**	**74.4**	**28,340**	**25.6**
Administrative Support	1981	49,224	68.0	23,205	32.0
	1987	46,035	66.6	23,082	33.4
Operational	1981	74,632	73.0	27,600	27.0
	1987	31,034	75.3	10,191	24.7
Total support	**1981**	**123,856**	**70.9**	**50,805**	**29.1**
	1987	**77,069**	**69.8**	**33,273**	**30.2**
GRAND TOTAL	**1981**	**202,827**	**72.8**	**75,600**	**27.2**
	1987	**159,602**	**72.1**	**61,613**	**27.9**

Source: Official Languages Information System, 1981 and 1987

C.1

SECOND-LANGUAGE ENROLMENT IN PUBLIC SCHOOLS

PROVINCE[a]		Total school population	TOTAL SECOND-LANGUAGE ENROLMENT	FRENCH IMMERSION	
				Enrolment	Schools offering immersion
Newfoundland	1977–1978	156,168	67,791	95	3
	1986–1987[r]	139,378	76,292	2,621	29
	1987–1988[b]	136,600	76,300	3,100	32
Prince Edward Island	1977–1978	27,628[r]	16,495[r]	541	7
	1986–1987[r]	24,884	15,876	2,514	21
	1987–1988[b]	24,800	15,950	2,550	21
Nova Scotia	1977–1978	198,097	88,991	127	3
	1986–1987[r]	170,868	102,388	2,421	28
	1987–1988[b]	170,000	101,400	2,900	30
New Brunswick	1977–1978	162,229	70,629	3,179	34
	1986–1987[r]	139,465	75,561	15,368	103
	1987–1988[b]	138,000	78,200	16,200	105
Quebec	1977–1978	1,260,983[r]	667,472		
Students taking English as a second language	1986–1987[r]	1,037,174	572,453	No English immersion programs exist.	
	1987–1988[b]	1,034,300	575,000		
Quebec	1977–1978	1,260,983[r]	17,754[r]	17,754[r]	n.a.
Students taking French as a second language (immersion)	1986–1987[r]	1,037,174	18,391	18,391	n.a.
	1987–1988[b]	1,034,300	18,750	18,750	n.a.
Ontario	1977–1978	1,950,308[r]	883,269	12,764	160
	1986–1987[r]	1,791,919	1,012,191	98,809	820
	1987–1988[b]	1,825,000	1,045,000	108,000	860

ELEMENTARY[d] (Core)			SECONDARY[e] (Core)		
School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%	School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%
93,440[r]	33,585	35.9	62,453[r]	34,111	54.6[r]
70,527	36,441	51.7	66,156	37,230	56.3
67,000	36,200	54.0	66,320	37,000	55.8
13,284	7,351	55.3	13,171[r]	8,603[r]	65.3[r]
10,445	5,941	56.9	11,428	7,421	64.9
10,400	5,900	56.7	11,350	7,500	66.1
100,529	30,025	29.9	91,545	58,839	64.3
84,731	46,661	55.1	79,876	53,306	66.7
83,500	45,700	54.7	79,950	52,800	66.0
49,019	29,563	60.3	56,930	37,887	66.6
37,014	32,867	88.8	42,121	27,326	64.9
37,200	35,300	94.9	41,100	26,700	65.0
580,351[r]	214,730[r]	37.0	473,402[r]	463,934[r]	98.0
595,319	249,060	41.8	329,993	323,393	98.0
595,200	250,000	42.0	331,600	325,000	98.0
See Table C.2 (minority language education).			See Table C.2 (minority language education).		
1,221,579[r]	650,136	53.2[r]	612,574[r]	220,369	36.0[r]
1,021,327	668,971	65.5	580,055	244,411	42.1
1,028,500	690,000	67.1	596,000	247,000	41.4

Continued

PROVINCE[a]		Total school population	TOTAL SECOND-LANGUAGE ENROLMENT	FRENCH IMMERSION Enrolment	FRENCH IMMERSION Schools offering immersion
Manitoba	1977–1978	221,408	85,619	1,667	13
	1986–1987 [r]	199,037	103,786	14,619	76
	1987–1988 [b]	199,100	105,700	17,000	85
Saskatchewan	1977–1978	216,248 [r]	53,804	407	2
	1986–1987 [r]	202,788	79,741	7,503	58
	1987–1988 [b]	203,000	87,000	9,000	70
Alberta	1977–1978	439,804	n.a.	n.a.	n.a.
	1986–1987 [r]	451,419	150,954	21,194	135
	1987–1988 [b]	455,000	160,500	23,500	150
British Columbia	1977–1978	527,769	161,110	1,301	15
	1986–1987 [r]	486,299	203,366	18,744	151
	1987–1988 [b]	486,000	219,200	22,500	180
Yukon	1977–1978	5,394	n.a.	n.a.	n.a.
	1986–1987 [r]	4,805	2,472	291	1
	1987–1988 [b]	5,000	2,610	310	1
Northwest Territories	1977–1978	12,717	n.a.	n.a.	n.a.
	1986–1987 [r]	13,296	3,826	261	3
	1987–1988 [b]	13,200	4,065	310	5
TOTAL	**1977–1978**	**5,178,753 [r]**	*	**37,835 [r]**	**237**
	1986–1987 [r]	**4,661,332**	**2,417,297**	**202,736**	**1,425**
	1987–1988 [b]	**4,690,000**	**2,489,675**	**224,120**	**1,539**

* Column adds to 2,112,934 [r] for 1977–1978, while row adds to 2,240,949 for that year, owing to unavailability of immersion data for Alberta and the Northwest Territories.

[a] Where no notation appears, French is the second language taught.

[b] Statistics Canada estimate.

[c] See Table C.2 for minority language education enrolment.

[d] Includes grades k to 6, except Ontario (k–8); British Columbia and Yukon (k–7).

ELEMENTARY[d] (Core)			SECONDARY[e] (Core)		
School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%	School population having English as the language of instruction (French in Quebec)	Second language[c] Enrolment	%
110,831	42,576	38.4	100,707	41,376	41.1
91,583	48,137	52.6	87,471	41,030	46.9
90,100	47,700	52.9	86,750	41,000	47.3
110,382	4,928	4.5	104,075[r]	48,469	46.6[r]
106,723	30,412	28.5	87,398	41,826	47.9
105,000	34,000	32.4	87,850	44,000	50.1
216,656	52,435	24.2	215,899	58,903	27.3
228,544	60,099	26.3	200,086	69,661	34.8
229,700	62,000	27.0	200,050	75,000	37.5
305,574	75,740	24.8	220,894	84,069	38.1
274,755	86,952	31.6	190,997	97,670	51.1
277,200	100,000	36.1	184,350	96,700	52.5
3,545	1,346	38.0	1,849	939	50.8
2,745	1,193	43.5	1,733	988	57.0
2,850	1,300	45.6	1,794	1,000	55.7
8,801	2,100	23.9[r]	3,916	1,100[b]	28.1
9,041	2,242	24.8	3,994	1,323	33.1
8,900	2,242	25.2	3,990	1,513	37.9
2,813,991[r]	**1,144,515[r]**	**40.7[r]**	**1,957,415[r]**	**1,058,599[r]**	**54.1[r]**
2,532,754	**1,268,976**	**50.1**	**1,681,308**	**945,585**	**56.2**
2,535,550	**1,316,342**	**51.7**	**1,691,104**	**955,213**	**56.5**

[e] Includes grades 7–12, except Ontario (9–13); Quebec (7–11); British Columbia and Yukon (8–12).

[r] Figures revised since publication of the *1986 Annual Report*.

n.a. No figures available.

Source: Statistics Canada, Elementary and Secondary Education Division.

MINORITY LANGUAGE EDUCATION PROGRAMS

C.2

Enrolment in programs designed to provide education in their mother tongue (English in Quebec and French elsewhere) to members of the official language minority groups, grades in which offered and number of schools where offered, for each province and territory, 1970–71, 1986–87 and 1987–88

		Enrolment	Grades	Number of schools
Newfoundland	1970–71	185	k to 10	1
	1986–87[r]	74	k to 10	2
	1987–88[a]	180	k to 10	4
Prince Edward Island	1970–71	796	1 to 12	7
	1986–87[r]	497	1 to 12	2
	1987–88[a]	500	1 to 12	2
Nova Scotia	1970–71	7,388	p to 12	32
	1986–87[r]	3,840	p to 12	20
	1987–88[a]	3,650	p to 12	20
New Brunswick	1970–71	60,679	k to 12	196
	1986–87[r]	44,962	k to 12	153
	1987–88[a]	43,500	k to 12	152
Quebec	1970–71	248,855	k to 11	519
	1986–87[r]	111,862	k to 11	381
	1987–88[a]	107,500	k to 11	375
Ontario	1970–71	115,869	k to 13	381
	1986–87[r]	91,728	k to 13	360
	1987–88[a]	92,500	k to 13	365
Manitoba	1970–71	10,405	k to 12	49
	1986–87[r]	5,364	k to 12	30
	1987–88[a]	5,250	k to 12	30
Saskatchewan	1970–71	765	k to 12	12
	1986–87[r]	1,164	k to 12	14
	1987–88[a]	1,150	k to 12	14

Continued

		Enrolment	Grades	Number of schools
Alberta	1970–71	n.a.	n.a.	n.a.
	1986–87[r]	1,595	k to 12	17
	1987–88[a]	1,750	k to 12	20
British Columbia	1970–71	—	—	—
	1986–87[r]	1,803	k to 11	35
	1987–88[a]	1,950	k to 12	36
Yukon	1970–71	—	—	—
	1986–87[r]	36	1 to 6,8,9	2
	1987–88[a]	46	k to 7,9	2
Northwest Territories	1970–71	—	—	—
	1986–87	—	—	—
	1987–88[a]	—	—	—
TOTAL	**1970–71**	**444,942**		**1,197**
	1986–87[r]	**262,925**		**1,016**
	1987–88[a]	**257,976**		**1,020**

[a] Statistics Canada estimate.

[r] Figures revised since publication of the *Annual Report 1986*.

n.a. No figures available.

Source: Statistics Canada, Elementary and Secondary Education Division.

Comparison of Bill C-72 (1987) and the Official Languages Act, 1969

Preamble

The 1969 **Act** has no preamble. The **Bill** begins by recognizing:

- the constitutional principle that Canada is a country with two official languages, English and French, and that both languages have equal status, rights and privileges as regards their treatment by and in federal institutions;
- the constitutional principles that Canadians have full and equal access to Parliament and to the laws and courts of Canada, and the right to be served by and communicate with the institutions of Parliament and the federal government in either English or French;
- that English-speaking and French-speaking employees should have equal opportunities to use either language as a language of work and equal access to and opportunities to participate in the work of the federal administration;
- an undertaking to support the development of the English- and French-speaking minorities;
- the goal of respecting and advancing both official languages without detriment to the interests and aspirations of other linguistic and cultural groups;
- a federal commitment to work with other levels of government, business, labour and the voluntary sector in pursuing the equality of the two official languages throughout Canadian society.

Purpose

Whereas the 1969 **Act** simply declares the equal status, rights and privileges of English and French in the institutions of the Parliament and government of Canada, the **Bill** also:

- enumerates the main federal areas where official language equality is to be respected: in Parliament, courts and legislative instruments, in serving the public and within the federal administration; and

- makes a commitment to the preservation and development of the official languages minorities and to advancing the status and use of both languages in Canadian society.

Statutory and other instruments

The 1969 **Act** provides that, while federal rules, orders, etc., are to be published *simultaneously* in both languages, exceptions may be made if translation delays might prejudice the public interest. The **Bill** removes the exception: *all* such instruments are to appear simultaneously and with equal authority in both languages.

Whereas the **Act** requires that federal official notifications be printed in at least one English and one French publication in the National Capital Region and bilingual districts, the **Bill** requires them to be printed, with equal prominence, in at least one publication of each official language — or bilingually — in *every* region where the matter applies.

Administration of justice

The **Act** allows publication of final judicial decisions by federal bodies that are of general public interest in one language *before* a translation is available. The **Bill** removes this exception. However, oral delivery of the decision in one language only is still permitted and is authoritative.

Where federal judicial or quasi-judicial bodies are now required to hear witnesses in either language and to use simultaneous interpretation if needed, the **Bill** requires direct understanding of witnesses by the presiding judge or the equivalent and that federal intervenors use the official language preferred by the other party or parties, or both if necessary. Court documents, such as summonses, that are part of federal court proceedings are to be available in bilingual format.

Serving and communicating with the public

The **Act** speaks of the *duty* of federal institutions to ensure that members of the public can be served by and communicate with federal bodies in their preferred official language under certain conditions. To be consistent with the Canadian Charter of Rights and Freedoms, this institutional duty is now expressed as a public *right*.

Four main criteria for bilingual service are present in the **Act**. It must be available: in federal bilingual districts, of which the National Capital Region is a prototype; at head offices anywhere in Canada; wherever there is "significant demand"; and to the travelling public, unless demand is "too irregular".

The bilingual district concept has been dropped from the **Bill**. To be consistent with the Charter, the following criteria are proposed instead. The public has a right to service in its own official language:

- from any head or central office;

- in the National Capital Region and at any other office or facility, in Canada or abroad, (a) where there is a "significant demand" or (b) wherever it is reasonable owing to the "the nature of the office";
- when travelling, and when there is also a "significant demand".

"Nature of the office" is to include such considerations as public health, safety and security, the location of the office, or its "national or international mandate". More precise interpretation of this and other terms is left to Governor in Council regulations to be published after due consultation with the communities concerned.

The **Bill** also stipulates that services provided by third parties on behalf of federal bodies be offered on the same basis as if they were being provided by those bodies themselves, and that federal bodies with regulatory powers affecting public health, safety and security use those powers, "wherever it is reasonable to do so", to help promote linguistic equality in the bodies they regulate.

Offices or facilities that are designated to provide bilingual service must give clear verbal and/or visual indications of their readiness to do so. This is referred to as "active offer" of service.

When providing information to the public, federal institutions must use whatever media are necessary for effective and efficient communication.

Language of work

The principle that public servants should, subject to necessary limits, be able to work in either language is not explicit in the present **Act**, although it was a major component of the 1973 Parliamentary Resolution.

The **Bill** makes this principle explicit as a *right* from which the duties of federal institutions flow. They are to provide a work environment in which English and French can be used with as much fairness as factors such as public needs and the relative numbers of employees of both groups will allow, one where:

- personal and institutional services are available equally;
- widely and regularly used work instruments and automated data systems are available equally;
- both individual supervisors and management groups as a whole have an appropriate bilingual capacity in the more bilingual regions of the country.

In more unilingual situations, the treatment of one language group must be comparable to that of the other group where the situations are reversed.

Full participation

The principle that both language groups be fairly represented and enjoy full participation in the work of government was also not made explicit in the **Act**

but became so in the 1973 Parliamentary Resolution. It is now embodied in the **Bill** in terms of "equal access to appointment and advancement" for both groups and an appropriate "reflection" within the Public Service of their presence in the Canadian population. The latter criterion, however, must also take account of differences in the mandate, location and clientele of each institution.

"Language of work" and "full participation" rules are also to be made administratively specific through Governor in Council regulations.

Roles and duties

The **Act** assigns duties to every department and agency of the government of Canada and to all other federal bodies, with specific reference to serving and communicating with the public. No mention is made of any more general program management responsibility.

The **Bill** now identifies *Treasury Board* as overall manager and promoter of those principles and programs which affect the federal administration, including Crown corporations and wholly-owned subsidiaries. The Board must publish directives, develop regulations, inform the public, evaluate outcomes and report annually to Parliament.

The **Act** makes no reference to complementary programs affecting other sectors, specific communities or Canadian society as a whole. The **Bill** assigns to the *Secretary of State* the legal duty to pursue all those official languages programs that it now manages as a matter of policy. The aim is to encourage the *recognition*, *learning* and *use* of English and French:

- by fostering the vitality and development of the minorities;
- by helping the provinces or other sectors to provide minority education or minority language services; and
- by providing suitable opportunities to acquire English or French as a second language.

Commissioner's duties and functions

Besides giving the Commissioner a general duty to ensure that its spirit and intent are observed, the **Act** stipulates procedures for carrying out complaint and other investigations and for reporting findings and recommendations to government and Parliament.

The **Bill** confirms, expands and reinforces these roles. It makes the Commissioner the general guardian of the Act and gives him or her a specific right to review Governor in Council regulations. If an investigation ends in a deadlock and the Commissioner has to make a special report to the Governor in Council, government must respond within a reasonable time.

Court remedy

As things stand, individuals or groups who think their official languages rights have been contravened may go to court under the Charter of Rights and Freedoms or seek a remedy through the Commissioner.

The **Bill** does not affect the right to seek redress under the Charter but provides a new procedure whereby complainants can take their case to the Federal Court six months after the complaint is lodged with the Commissioner. It also provides that the Commissioner may, with the complainant's agreement, become a party to the case or act on his or her behalf before the Federal Court.

Those parts of the **Bill** that have to do with the use of English and French in Parliament, federal laws and courts, service to the public and language of work are to have primacy over other federal legislation with the exception of the Canadian Human Rights Act.

Other changes

Where the present **Act** requires only that its application not diminish the legal or customary rights of other languages, the **Bill** is also to be construed in a manner consistent with the preservation and enhancement of languages other than English and French, terms taken from Section 27 of the Charter.

The **Bill** also incorporates, as part of the consolidation process, consequential amendments to the Criminal Code and a number of other federal laws which affect either the federal treatment of English and French or the powers of the Commissioner.

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COMMISSAIRE AUX LANGUES OFFICIELLES
COMMISSIONER OF OFFICIAL LANGUAGES

Sommaire du RAPPORT ANNUEL 1987

Le Renouveau : égalité, qualité, continuité

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Avant-propos

Notre dernier Rapport annuel désignait 1987 « l'Année du test ». Or le gouvernement s'est surtout employé une fois de plus à consolider les bases des réalisations à venir. L'accord du lac Meech est venu rappeler l'importance fondamentale de la dualité linguistique canadienne, et le projet de loi sur les langues officielles (C-72) a conféré à l'administration centrale le rôle de protéger et de promouvoir cette dualité. Ces initiatives, conjuguées à de prochaines mesures législatives, contribueront à renforcer l'identité culturelle à l'heure où le Canada est appelé à jouer un plus grand rôle dans un marché nord-américain élargi. Mais, pour la plupart, ces grands projets sont encore à l'état d'ébauche. Il est réconfortant de constater que notre confiance dans notre capacité d'aménager des rapports plus féconds entre les Canadiens n'a pas été entamée. De même devons-nous nous réjouir de voir le Québec regagner le giron constitutionnel. Or, s'il est vrai que les actes sont plus éloquents que les paroles, les initiatives fédérales et les réalisations concrètes se sont faites rares durant la plus grande partie de 1987. Il a fallu l'acharnement, entre autres, du Comité mixte permanent des langues officielles, du Commissariat et d'autres intéressés pour susciter un regain de conscience linguistique au sein de l'administration fédérale et pour empêcher que la mise en œuvre du programme des langues officielles ne soit freinée par des débats théoriques autour du projet de loi C-72.

Les diverses instances judiciaires continuent de préciser les droits linguistiques existants ; leurs arrêts de l'année ont, de notre point de vue, marqué des progrès importants. À la fin de l'année, nous attendions de la Cour suprême des décisions faisant jurisprudence, dont celles touchant les droits résiduels du français en Alberta et en Saskatchewan, les obligations des provinces en matière d'enseignement en vertu de l'article 23 de la *Charte canadienne des droits et libertés* et la constitutionnalité des dispositions de la *Charte de la langue française* (loi 101) visant la langue d'affichage. Le test reste donc à compléter.

Malgré certaines dissidences, l'opinion publique demeure favorable à une mise à jour de la loi sur le régime linguistique fédéral visant à accroître son efficacité, sans pour autant être le moindrement révolutionnaire. La plupart des provinces ont également manifesté un peu plus d'ouverture d'esprit dans la reconnaissance pratique de leurs obligations constitutionnelles ou autres à l'endroit de leurs minorités de langue officielle. En fait, nous percevons les signes avant-coureurs d'un renouveau. Nous réaffirmons dans le présent Rapport le triple objectif de *l'égalité*, telle qu'elle est proclamée dans la Constitution et dans la Loi, de la *qualité* des services, de l'enseignement et de la gestion des deniers de l'État et de la *continuité*, c'est-à-dire la volonté des leaders de jouer franc jeu et d'accorder les ressources nécessaires, et celle des citoyens de rester vigilants et exigeants.

D'Iberville Fortier

PARTIE I. UN PROJET NATIONAL

Affaires d'État

En 1987, les Canadiens ont poursuivi l'examen de leurs valeurs nationales. Le projet de loi C-72 doit être examiné à la lumière des autres objectifs nationaux, du climat favorable au changement et du rendement linguistique des organismes fédéraux. Si l'appui manifesté par le public et les institutions à la réforme linguistique constitue une tendance réjouissante, les craintes et réserves manifestées par certains ne doivent cependant pas être ignorées pour autant.

Dans son introduction, l'accord proposé sur le libre-échange entre notre pays et les États-Unis évoque l'image « d'un Canada plus riche, qui peut se permettre d'appuyer ses entreprises culturelles et de préserver et d'améliorer de la sorte la qualité de vie de ses citoyens ». L'accord du lac Meech, le projet de loi C-72, le projet de loi sur le multiculturalisme et la possibilité de nouvelles lois et politiques en matière de communications, de télédiffusion, de citoyenneté et d'immigration nous laissent entrevoir le type d'initiatives culturelles dont il est question et les coûts liés à la sauvegarde de l'identité canadienne. La reconnaissance du fait que l'équilibre linguistique national n'est pas fondé sur la symétrie sera indispensable pour parvenir à la difficile harmonisation de tous les objectifs nationaux et socio-économiques énoncés dans ces accords fort différents mais complémentaires. Seul un effort concerté de la part des divers ordres de gouvernement et des principales institutions nationales permettra de maintenir sainement cet équilibre.

Si le rendement fédéral s'est avéré plutôt médiocre en 1987 — quoiqu'il ait été nettement plus prometteur vers la fin de l'année —, l'avenir du programme des langues officielles repose largement sur la prompte adoption du projet de loi C-72. Celui-ci constitue à la fois un effort de consolidation des dispositions législatives et constitutionnelles en matière de langues officielles, et un plan détaillé destiné à promouvoir l'égalité linguistique. Objectif que nous nous efforçons d'atteindre depuis près de deux décennies.

Au-delà de la sphère fédérale, du point de vue linguistique, les provinces à majorité anglophone et le Québec ont connu en 1987 une année mouvementée. À l'extérieur du Québec, le peu d'empressement de certaines provinces à respecter leur engagement d'offrir aux minorités francophones un enseignement correspondant à leurs besoins a défrayé la chronique. Au Québec, la question de l'affichage commercial bilingue et l'indécision du gouvernement provincial ont pris, une fois de plus, la vedette. Les Anglo-Québécois font aussi face à de graves problèmes, qui vont croissant, en matière d'enseignement. Le Commissaire déplore la tendance à promouvoir le français non pas en misant sur sa vigueur culturelle mais en humiliant l'adversaire.

Les statistiques touchant la langue maternelle du recensement de 1986 démontrent que la tendance à la polarisation linguistique — le français au Québec, l'anglais ailleurs — amorcée après la Seconde Guerre mondiale, se manifeste toujours. Elles occultent peut-être une réalité moins décevante, et le gouvernement cherche à obtenir plus de précisions sur les choix linguistiques des Canadiens. Toutefois, les données dont nous disposons font ressortir l'urgence de concrétiser l'engagement formulé au lac Meech qui est de collaborer à la protection de la dualité linguistique à l'échelle du pays.

Les dépenses reliées aux langues officielles, en dollars constants de 1970-1971, ont diminué de plus de 20 p. 100 depuis les huit dernières années ; en pourcentage du total des dépenses fédérales, cette baisse est plus marquée encore. Il nous faut nous demander si les ressources consacrées aux langues officielles sont suffisantes et bien réparties. Entre le bilinguisme à rabais et les dépenses effrénées, il devrait exister selon nous un juste milieu dans l'allocation des fonds aux programmes linguistiques déterminée selon une analyse et une planification plus détaillées, semblables à celles qu'on utilise pour les autres programmes d'importance nationale.

Le projet de loi C-72

Le projet de loi ne modifie pas les principes fondamentaux de l'égalité linguistique au sein de l'administration fédérale ; il ne fait que préciser, à l'adresse des responsables, ce que cette égalité signifie en pratique. L'accent doit être mis sur l'égalité qualitative du français et de l'anglais, sur la continuité et sur l'adoption de mesures favorisant la promotion et l'application de la Loi. Dans la mesure du possible, le projet de loi offre les outils nécessaires pour corriger les principales faiblesses du programme actuel, c'est-à-dire l'insuffisance de leadership, de coordination et de recours efficaces. Mais surtout, elle propose des issues aux impasses bureaucratiques.

Le projet de loi C-72 ne se contente pas de traduire sur le plan juridique les principes fondamentaux de l'égalité linguistique : service au public, langue de travail et pleine participation. Il élargit la portée de la Loi de 1969 en mettant l'accent sur la « promotion du français et de l'anglais » au sein de la société canadienne, consacrant ainsi, sous forme d'engagement juridique, la légitimité des programmes de promotion existants : appui direct aux minorités de langue officielle, enseignement des langues officielles et appui aux organismes non gouvernementaux. Le message du projet de loi C-72 est clair : si le bilinguisme fait partie intégrante de l'identité canadienne, il faut prendre les mesures qui s'imposent pour en assurer la réalisation.

Les droits linguistiques

Le rôle que les tribunaux ont à jouer dans la réforme du régime linguistique continue de se préciser. La magistrature semble pencher du côté de la prudence.

Cependant, on a pu voir les éléments d'une nouvelle doctrine prendre corps peu à peu, et certaines décisions clés rendues cette année par des tribunaux inférieurs ont été ou pourraient bientôt être portées en Cour suprême.

La question de la reconnaissance réelle des droits constitutionnels des minorités en matière d'éducation a été portée devant les tribunaux de l'Alberta et de l'Île-du-Prince-Édouard. La Cour d'appel de l'Alberta a reconnu que l'article 23 de la Charte garantit aux minorités (lorsque le nombre le justifie) le droit à l'enseignement et à la gestion des écoles. Mais, selon elle, les requérants n'ont su ni prouver que le nombre d'élèves francophones à Edmonton justifiait l'établissement d'un système scolaire autogéré, ni persuader la Cour d'ordonner les redressements demandés. La Cour suprême est également appelée à se prononcer sur la compétence du Québec à interdire, en vertu de la loi 101, l'usage d'une autre langue que le français dans l'affichage.

Politique et programmes

Reconnaissant d'emblée que le Conseil du Trésor et les autres organismes centraux ont consacré beaucoup d'efforts à l'élaboration du projet de loi C-72, le Commissaire n'est cependant pas tout à fait convaincu qu'ils disposent des ressources nécessaires pour multiplier leurs efforts de promotion à la mesure des défis d'une nouvelle loi. Le Secrétariat d'Etat, le Conseil du Trésor et la Commission de la Fonction publique ont surtout attendu le second semestre de 1987 pour agir. Ainsi, on a lancé un nouvel emblème gouvernemental permettant de repérer facilement les services bilingues ; redressé les exigences linguistiques, à moyen terme, des postes bilingues des cadres supérieurs ; adopté un nouveau régime d'imputabilité en matière de langues officielles ; et multiplié les efforts pour accroître la participation anglophone dans la Fonction publique fédérale au Québec. Toutefois, le Secrétariat d'État est le seul organisme, jusqu'ici, qui puisse compter sur des crédits supplémentaires. Au cours des trois prochaines années, il disposera en effet de 25 millions de dollars de plus qui seront consacrés à la coopération fédérale-provinciale au titre du développement des services aux minorités. Mais comment satisfera-t-on les besoins sans cesse grandissants de l'enseignement des langues officielles et des programmes de promotion destinés au secteur privé ?

Si la capacité bilingue de la Fonction publique s'accroît en termes réels, elle n'est pas à l'abri de déséquilibres entre les divers échelons et dans les régions. Le taux de nomination des francophones et des anglophones à des postes bilingues et unilingues, ainsi que leur taux d'occupation, posent également des problèmes d'équité. La proportion croissante de certains postes bilingues dotés de façon « impérative » exige une étude approfondie de l'interaction de la dotation impérative et d'autres facteurs afin d'assurer, par exemple, que les caractéristiques démolinguistiques de la Fonction publique reflètent celles de la population

canadienne. Il convient toutefois de souligner que la dotation impérative des postes, ou leur désignation bilingue, touche moins de 14 p. 100 des quelque 210 000 emplois de la Fonction publique.

Si la demande pour les services de traduction et d'interprétation croît sans cesse, il n'en est pas de même pour les ressources humaines et financières. Les changements technologiques ont accru à leur quasi-maximum, semble-t-il, la productivité des traducteurs, et les plaintes touchant la qualité du service se font plus fréquentes. Le Commissaire recommande l'élaboration d'une nouvelle politique destinée à freiner la demande pour les travaux de traduction inutiles et coûteux.

Le Commissaire recommande également que, dans le cadre de la mise en œuvre de la nouvelle *Loi sur les langue officielles*, la révision de la politique, la planification et l'allocation des ressources se fassent de façon plus rigoureuse que par le passé, et qu'on en rende plus scrupuleusement compte. La légitimité du programme exige que l'on assure, sur le plan administratif, l'harmonisation des divers éléments du programme tels que la formation linguistique et la dotation « impérative », et leur adaptation aux besoins et caractéristiques en constante évolution de la société canadienne. Pour ce faire, on devra effectuer des projections touchant l'interaction des divers programmes ainsi que des analyses systématiques des solutions à envisager. De même, il est important que les responsables des relations commerciales du Canada avec les États-Unis, ou multilatérales, accordent une attention particulière aux éléments qui pourraient toucher différemment les marchés francophone et anglophone. Compte tenu du partage des tâches que propose le projet de loi C-72, le Commissaire presse le gouvernement de confier au Bureau du Conseil privé le soin de coordonner avec vigueur la politique des organismes centraux lorsqu'il sera adopté.

Le Comité mixte permanent des langues officielles

Le Comité mixte a soumis trois rapports au gouvernement cette année. Le premier souligne le retard de plusieurs provinces à mettre en application l'article 23 de la Charte, privant ainsi les minorités de leurs droits en matière d'éducation. Le second traite des faiblesses de la mise en œuvre du programme des langues officielles au sein de l'administration fédérale, notamment en matière d'imputabilité. Le dernier porte sur les carences de la télédiffusion en français des Jeux olympiques de Calgary. Le gouvernement n'a pas manqué de réagir à ces rapports, confirmant ainsi le rôle de premier plan que joue le Comité mixte dans le renouveau du programme des langues officielles.

PARTIE II. ANALYSE : L'ÉGALITÉ LINGUISTIQUE EN TROIS DIMENSIONS

Les progrès réalisés sur les fronts du service au public, de la langue de travail et de la participation équitable — les trois grand volets de la réforme — n'ont

été que sporadiques. Par ailleurs, la réponse du gouvernement à nos trois rapports spéciaux s'est avérée, dans l'ensemble, utile et encourageante. Le principal obstacle à l'obtention d'un meilleur service chez Via Rail a été levé ; la Défense nationale a fini par présenter un plan de redressement acceptable afin que le français soit davantage utilisé au travail ; la Fonction publique, quant à elle, a multiplié ses efforts pour accroître le recrutement des fonctionnaires anglophones affectés au Québec.

Chaque année, nous sommes appelés à traiter un nombre croissant de plaintes. À notre avis, celles-ci constituent un excellent moyen de cerner les lacunes du programme des langues officielles et les obstacles systémiques à l'égalité linguistique au sein de l'administration fédérale. Le nombre de plaintes concernant ces déficiences est passé de 1 840 en 1986 à 2 360 cette année ; celles touchant le service au public sont passées de 1 583 à 2 080 ; celles portant sur la langue de travail sont demeurées à peu près stationnaires, passant de 240 à 250 environ ; les plaintes visant la pleine participation ont presque doublé, passant de 15 à 32.

Service au public

Les autorités fédérales ont réalisé d'importants progrès sur le front de la langue de service de 1969 jusqu'au début de la décennie 80. Mais depuis, en dépit d'efforts considérables de la part des organismes centraux et des autres ministères et organismes, les résultats ont été plus modestes. Les initiatives prises en 1987 qui ont abouti à des réalisations concrètes sont peu nombreuses. En fin d'année, la qualité des services bilingues offerts dans la région de la Capitale nationale et dans les régions du Québec où le bilinguisme est plus répandu, était, dans l'ensemble, satisfaisante. Même là, cependant, certaines sociétés d'État n'affichent encore qu'en français. Ailleurs au pays où sont présents les deux groupes linguistiques, la visibilité, sinon l'existence, des services en langue française faisaient souvent défaut, et la qualité de ces services laissait généralement à désirer.

Nous recommandons au gouvernement de mettre en vigueur, dans les meilleurs délais après l'adoption du projet de loi C-72, une réglementation généreuse et simple d'application ; de s'assurer que, d'ici deux ans, chaque bureau fournissant des services à une minorité de langue officielle compte en tout temps au moins un employé bilingue ; de supprimer, d'ici deux ans, le niveau élémentaire de compétence en langue seconde pour la plupart des postes de service au public ; d'émettre des directives touchant l'utilisation des médias de langue minoritaire ; d'assurer et de contrôler efficacement l'offre active et soutenue de services bilingues ; et d'adopter des mesures plus rigoureuses afin d'accroître l'efficacité des arrangements administratifs mis en place de façon temporaire par les ministères fédéraux pour pallier les insuffisances linguistiques de certains employés unilingues occupant des postes bilingues.

La pleine participation

La représentation globale des francophones et des anglophones au sein de la Fonction publique se situe autour de 28 et de 72 p. 100 respectivement. Passablement satisfaisantes, ces données d'ensemble masquent néanmoins d'importants déséquilibres sectoriels et régionaux : les anglophones sont insuffisamment représentés au sein de la catégorie Soutien administratif, dans certains organismes de petite taille ainsi que dans les établissements fédéraux au Québec ; les francophones, pour leur part, sont sous-représentés dans les catégories Gestion et Scientifiques et spécialistes, ainsi qu'au Nouveau-Brunswick et dans les régions bilingues de l'Ontario.

Nous recommandons au gouvernement d'analyser la participation des francophones et des anglophones au sein de l'administration fédérale afin d'assurer une meilleure planification des ressources humaines ; et aux ministères et sociétés d'État où les taux de participation accusent de graves déséquilibres, de créer des comités ad hoc chargés de préparer des plans d'action appropriés.

La langue de travail

Des trois grands volets de la politique linguistique fédérale, la langue de travail est sans conteste celui qui pose le plus de difficultés. Malgré certaines initiatives valables de la part des organismes centraux et de certains ministères, la situation n'a guère progressé. À moins que les institutions fédérales ne se décident à s'attaquer sérieusement au problème, le français n'est pas près d'occuper la place qui lui revient comme langue de travail dans la région de la Capitale nationale et dans les régions bilingues hors du Québec, pas plus que l'anglais dans les ministères et organismes fédéraux situés dans les régions bilingues du Québec.

Le niveau de compétence en langue seconde des surveillants censément bilingues, dans les régions bilingues, constitue un obstacle de taille à l'égalité linguistique au travail. Les francophones affirment qu'ils hésitent à communiquer en français avec leurs surveillants anglophones, alléguant, à tort ou à raison, que ces derniers ne maîtrisent pas suffisamment le français. À un degré moindre, les fonctionnaires anglophones du Québec font face depuis dix ans au même problème.

À Ottawa, à l'administration centrale de nombreux ministères et organismes, l'anglais demeure presque exclusivement la langue de travail de la plupart des comités directeurs, et en général, les réunions aux échelons inférieurs se tiennent uniquement dans cette langue. Si les manuels administratifs d'usage courant sont habituellement disponibles dans les deux langues, les autres documents de travail portent encore trop souvent la mention « version française à suivre ». Dans plusieurs secteurs scientifiques et techniques, même les documents de référence les plus courants n'existent qu'en anglais, tout simplement parce que les autorités n'exigent pas des fournisseurs une documentation dans les deux langues officielles.

Nous recommandons que dans les régions bilingues, les réunions de la haute direction se déroulent dans les deux langues officielles ; que les divers aspects du problème de la langue de travail fassent l'objet d'un programme de formation ; que les employés de langue minoritaire soient incités à travailler régulièrement dans leur langue ; et que le Conseil du Trésor cerne les obstacles à l'égalité linguistique en milieu de travail afin de définir des moyens efficaces de les surmonter.

PARTIE III. ÉVALUATION : L'ÉGALITE LINGUISTIQUE DANS LES INSTITUTIONS

Des cinquante organismes que nous évaluons cette année, un certain nombre n'ont que peu ou pas progressé en 1987 : Affaires extérieures, Affaires indiennes et du Nord canadien, Agriculture, Chemins de fer nationaux, Conseil des Arts, Consommations et Corporations, Contrôleur général, Corporation commerciale canadienne, Marine Atlantique, Revenu national (Impôt), Santé et Bien-être social, Sénat, Société Harbourfront, Transports et Travail.

Une douzaine d'organismes ont réussi à faire preuve d'un bilinguisme exemplaire ou à améliorer sensiblement leur situation linguistique : Chambre des communes, Commission de la Fonction publique, Conseil des sciences, Conseil du Trésor, Emploi et Immigration, Expansion industrielle régionale, Justice, Pêches et Océans, Radio-Canada, Revenu national (Douanes et Accise), Secrétariat d'État et Statistique Canada. Nous présentons en bref dans les lignes qui suivent le bulletin de santé linguistique des 23 autres organismes ayant fait l'objet d'un examen au cours de l'année.

En dépit des modifications apportées à la gestion du programme des langues officielles, le rendement linguistique d'**Air Canada** est demeuré presque stationnaire. Au Québec, l'affichage demeure français. Pendant ce temps, les problèmes reliés à l'offre active de service en français n'ont pas été résolus, et les francophones sont loin de jouir de chances égales quand il s'agit de travailler dans leur langue. La Société cherche à accroître sa capacité bilingue par la formation linguistique et l'embauche ; mais à moins de déployer de façon plus judicieuse le personnel bilingue et de le mettre à contribution de façon optimale, ses efforts demeureront vains.

Bien qu'il ait fait des progrès cette année, le ministère des **Approvisionnements et Services** n'a pas encore réussi à régler certaines lacunes de longue date. Malgré la participation particulièrement élevée des francophones (40 p. 100), le problème de la langue de travail n'a rien perdu de son acuité. Cependant, le Ministère s'est doté d'un véritable programme des langues officielles et ne ménage pas ses efforts pour remédier à ces problèmes.

La **Banque du Canada** a poursuivi ses efforts pour améliorer son bilinguisme fonctionnel et le français s'impose de plus en plus comme langue de travail. La

représentation globale apparaît équitable, les anglophones formant 75 p. 100 des employés et les francophones 25 p. 100. Cependant, ces données masquent des déséquilibres sectoriels et régionaux.

Notre récente vérification au **Centre de recherches pour le développement international** (CRDI) révèle que la situation linguistique s'y est améliorée depuis 1981. Dans l'ensemble, le Centre est en mesure de fournir ses services dans les deux langues officielles. Par contre, certaines publications destinées à un public spécialisé ne paraissent qu'en anglais d'abord. Bien que la représentation globale des francophones soit élevée, le fait que 32 p. 100 des postes d'encadrement bilingues soient occupés par des anglophones unilingues ne facilite en rien l'usage du français.

Condition physique et Sport amateur a maintenu sa bonne capacité bilingue et intensifié ses efforts en faveur d'une utilisation plus équitable des deux langues officielles dans les activités des organismes qu'il subventionne.

Le **Conseil de la radiodiffusion et des télécommunications canadiennes** se distingue par la qualité des services bilingues offerts à sa clientèle. Toutefois, le français n'occupe qu'une place marginale comme langue de travail et, pour ce qui est de la participation, des déséquilibres persistent dans quatre des cinq catégories d'emploi.

Notre vérification linguistique du **Conseil de recherches médicales** montre que s'il a réussi à améliorer la situation de la langue de service depuis notre examen de 1980, il lui reste des lacunes importantes à combler au chapitre de la langue de travail. Le Conseil n'a pas cherché à connaître les préférences linguistiques de ses nouveaux employés.

Le **Commissariat à la protection de la vie privée** a donné suite à notre vérification de 1986 en adoptant une politique des langues officielles. S'il n'a aucune difficulté à traiter avec le public dans l'une ou l'autre langue officielle, il n'est pas toujours en mesure de le faire avec ses ministères clients. En dépit d'une capacité bilingue satisfaisante, les francophones sont sous-représentés au Commissariat et le français y est rarement utilisé comme langue de travail.

Le **Commissariat à l'information** a réagi favorablement à notre rapport de vérification de 1986. Il n'a aucun mal à traiter avec ses clients dans l'une ou l'autre langue officielle. Par contre, l'usage du français comme langue de travail n'est pas ce qu'il pourrait être, d'autant plus que 7 des 15 employés du Commissariat sont francophones.

Cette année encore, la **Commission de la Capitale nationale** a fait preuve d'un bilinguisme exemplaire, notamment en ce qui a trait au service au public. Par contre, elle a encore beaucoup à faire pour que le français devienne chez elle une langue de travail d'utilisation courante, et ce en dépit d'une trop forte

participation francophone dans toutes les catégories sauf celle de la Gestion. Le faible taux de renouvellement du personnel rend difficile la solution de ce problème.

Après avoir connu des difficultés à la suite d'une réorganisation en 1986, le ministère des **Communications** retrouve un degré d'activité normal. Il n'éprouve aucun problème réel à offrir à ses clients un service dans les deux langues. Cependant, l'offre active de service bilingue, notamment à l'accueil téléphonique, laisse à désirer. Eu égard à sa vocation scientifique et technique, le Ministère s'emploie à promouvoir l'usage du français comme langue de travail ; tâche qui est loin d'être facile, un nombre important de surveillants théoriquement bilingues ne connaissant pas suffisamment leur langue seconde. Par contre, à 33 p. 100, la participation des francophones est nettement au-dessus de la moyenne, tandis que la participation anglophone au Québec est réduite à un lamentable 2 p. 100. Conscient de ces déséquilibres, le Ministère s'efforce de remédier à la situation.

Cette année, le Commissaire s'est penché sur la situation de la langue de travail au ministère de la **Défense nationale**. Dix ans n'ayant pas suffi au Ministère pour éliminer les obstacles à l'usage du français en milieu de travail, le Commissaire a décidé de prendre une initiative peu courante et de présenter un rapport spécial au gouverneur en conseil. Le gouvernement a finalement reconnu que les mesures prises par le Ministère pour promouvoir l'égalité des deux langues officielles en milieu de travail étaient insuffisantes, et le Ministère a dressé une liste impressionnante d'initiatives qu'il compte prendre pour remédier à la situation. On a cerné trois grands obstacles à l'usage du français : l'unilinguisme des documents techniques, le manque de formation spécialisée en français à l'intention des militaires, et l'affectation de titulaires unilingues à des postes bilingues. Nous comptons suivre de près la mise en œuvre de ces mesures.

En 1987, le ministère de l'**Énergie, des Mines et des Ressources** a réussi à augmenter considérablement la participation des francophones au sein de la gestion ; elle est passée de 11 à 16 p. 100. Cependant, plus de 20 p. 100 des titulaires des postes désignés bilingues aux fins du service au public ne satisfont pas aux exigences linguistiques de leur poste. En dépit des efforts pour améliorer la situation de la langue de travail, de sérieux problèmes persistent. Cependant, le Ministère planifie et gère rigoureusement son programme des langues officielles, et les plaintes portées à son attention sont réglées avec rapidité et efficacité.

Le ministère de l'**Environnement** s'est distingué par l'amélioration de la gestion de son programme des langues officielles et par l'adoption d'une nouvelle politique de signalisation routière au Service des parcs. La langue de travail et la participation des deux groupes linguistiques continuent de présenter des lacunes importantes. La participation globale des francophones est passée de 20 à 19 p. 100 au cours de l'année.

La **Gendarmerie royale du Canada** (GRC) a connu une année plutôt difficile. Le Comité mixte permanent des langues officielles et notre Commissariat s'étant fermement opposés à l'intention manifestée par la GRC de réduire certains de ses objectifs en matière de langues officielles, celle-ci a dû rajuster son tir. Plusieurs mesures prometteuses ont été adoptées en fin d'année, mais l'effort devra être soutenu si la Gendarmerie veut donner au français la place qui lui revient.

La comparution de **Pétro-Canada** devant le Comité mixte permanent des langues officielles, en mars 1987, où son rendement a fait l'objet de critiques sérieuses, a incité la Société à donner une nouvelle impulsion à son programme. L'affichage bilingue de ses stations-service s'améliore et, dorénavant, un service téléphonique sans frais sera offert dans certaines d'entres elles dont le personnel ne peut communiquer dans les deux langues officielles avec la clientèle. La Société a également pris des mesures afin que l'on respecte la langue des titulaires de cartes de crédit Pétro-Canada dans la correspondance. Le français n'occupe toujours pas la place qui lui revient au siège social à Calgary, et les francophones ne représentent que quelque 10 p. 100 des 8 759 employés de la Société.

Le **Service canadien du renseignement de sécurité** (SCRS) a défrayé à chronique en raison de ses infractions à la *Loi sur les langues officielles*. L'organisme commence néanmoins à s'attaquer aux problèmes soulignés par le Comité mixte. Bien que 42 p. 100 des postes exigent la connaissance des deux langues, près du quart d'entre eux sont occupés par des employés non qualifiés linguistiquement. Le SCRS semble être en voie de régler le problème des télex unilingues anglais envoyés par l'administration centrale à la région du Québec, et les services internes sont plus souvent disponibles en français. Si la représentation globale des deux groupes est assez satisfaisante avec 72 p. 100 d'anglophones et 28 p. 100 de francophones, d'importants déséquilibres régionaux et sectoriels subsistent. Enfin, l'usage du français comme langue de travail demeure fort limité.

Lors de ses deux comparutions devant le Comité mixte, le **Service correctionnel** a dû admettre avoir commis de nombreuses infractions au code linguistique, notamment en ce qui touche les soins de santé pour les détenus francophones à l'extérieur du Québec. Si la capacité bilingue est généralement adéquate au Québec et dans la région de l'Atlantique, elle est toujours de beaucoup insuffisante dans l'Ouest. En outre, il n'y a qu'un psychiatre et aucun médecin bilingue pour tout l'Ontario. Si la situation en matière de langue de travail et de participation n'a guère changé, la gestion du programme des langues officielles s'est améliorée. Le Service a consenti de sérieux efforts pour sensibiliser son personnel à l'obligation d'offrir spontanément les services dans la langue des détenus.

Malgré les bonnes intentions de la direction de la **Société canadienne des postes** et l'élaboration d'un plan d'action détaillé, il devient de plus en plus évident qu'aucune véritable amélioration du service au public ne sera possible tant qu'on

n'aura pas signé avec le Syndicat des postiers du Canada une convention qui accorde la priorité à la capacité de communiquer dans la langue appropriée sur les droits d'ancienneté. Depuis 1982, chacun de nos rapports a soulevé les mêmes problèmes ; malheureusement les progrès ont été minimes. Les conséquences des droits d'ancienneté se manifestent tant par la faible proportion de postes désignés bilingues (7 p. 100) que par des interruptions répétées du service bilingue, notamment à Dieppe (Nouveau-Brunswick), où les francophones représentent 71 p. 100 de la population, et à Vanier (Ontario), où environ la moitié de la population est d'expression française.

Tout ne va pas pour le mieux dans le nouveau monde des franchises postales. À Ottawa, la seule franchise située dans un secteur bilingue s'est engagée dans la mauvaise voie en faisant imprimer sur les avis de livraison des colis de Postes Canada divers renseignements en anglais seulement. Ces problèmes et lacunes se traduisent par un nombre croissant de plaintes. En 1987, nous en avons reçu 237, comparativement à 128 en 1986 et 82 en 1985. Certains progrès ont néanmoins été accomplis en ce qui a trait à l'intégration des objectifs en matière de langues officielles à la planification opérationnelle. En outre, les gestionnaires doivent maintenant rendre compte à chaque trimestre de tous les aspects du programme à un nouveau Comité d'organisation des langues officielles dirigé par le président de la Société.

La **Société canadienne d'hypothèques et de logement** (SCHL) a maintenu un service convenable au public, et elle s'emploie à corriger les déficiences qui subsistent à cet égard. Cependant, elle n'est pas près d'atteindre ses objectifs en matière de langue de travail et d'obtenir, particulièrement au Québec et dans l'Ouest, la pleine participation des deux groupes linguistiques.

Cette année, la **Société du crédit agricole** a fait l'objet d'une vérification. Nous avons pu constater que les dispositions visant à assurer l'offre active des services dans les deux langues sont adéquates, mais que le français n'occupe pas la place qui lui revient en milieu de travail. Si la participation globale des deux groupes linguistiques est satisfaisante, on ne retrouve aucun francophone en Colombie-Britannique et en Saskatchewan, et un seul anglophone parmi les 90 employés du Québec.

Le Bureau du **Vérificateur général** a marqué des points sur le plan linguistique en 1987 en s'engageant à prendre des mesures pour améliorer les services offerts à ses ministères clients. Cependant, le nombre trop élevé de surveillants unilingues continue de faire obstacle à l'usage du français au travail. Fort d'un programme bien structuré, le Bureau n'a fait l'objet d'aucune plainte cette année.

Via Rail a franchi une étape importante en concluant une entente avec la Fraternité canadienne des cheminots, employés des transports et autres ouvriers. La Société pourra désormais affecter des préposés bilingues aux postes qui exigent un contact avec le public.

PARTIE IV. LES MINORITÉS : LE TEMPS PRESSE

La chronique minoritaire

L'année 1987 a été marquée par plusieurs événements importants pour les minorités. Le Sommet de la francophonie tenu à Québec a reconnu officiellement l'importance des communautés francophones hors du Québec ; l'entente du lac Meech a consacré cette « caractéristique fondamentale » du Canada qu'est la dualité linguistique ; et le projet de loi C-72 a exprimé l'engagement fédéral à favoriser l'épanouissement des minorités. Parmi les signes annonçant un avenir prometteur, mentionnons l'évolution de l'attitude du public envers les minorités, les efforts consentis pour améliorer la qualité de l'enseignement et d'autres services en langue minoritaire, et l'adoption dans plusieurs provinces de la partie XIV(1) du *Code criminel*, qui donne le droit à un accusé de comparaître devant un juge et un jury qui parlent sa langue.

Cependant, les données préliminaires du recensement de 1986 montrent que les Anglo-Québécois continuent de quitter le Québec, tandis que la plupart des communautés francophones hors du Québec ne cessent de perdre du terrain. La dualité linguistique fondamentale de notre pays est menacée à moins qu'une volonté de la promouvoir sur le plan pratique ne vienne étayer notre Constitution. C'est dans le secteur de l'enseignement que le besoin d'action est le plus manifeste. Six ans après l'adoption de la *Charte canadienne des droits et libertés* garantissant aux minorités le droit de bénéficier d'un enseignement dans leur langue et de participer à la gestion de leurs écoles, là où le nombre le justifie, les parents et les associations de communautés francophones hors du Québec sont toujours devant les tribunaux dans l'espoir d'obtenir ce que la majorité tient pour acquis. Sauf au Nouveau-Brunswick et, dans une moindre mesure, en Ontario, les écoles où l'on dispense l'enseignement en français seulement sont rares, et les conseils scolaires de langue française rarissimes. Au Québec, les anglophones parviennent de plus en plus difficilement à exercer un contrôle sur la gestion de leurs écoles, les commissions scolaires confessionnelles perdant graduellement leurs caractéristiques linguistiques. La renégociation des ententes fédérales-provinciales visant la promotion des langues officielles dans l'enseignement, qui prennent fin en mars 1988, permettra au gouvernement fédéral de donner au programme un élan administratif dont il a grand besoin.

En 1987, deux questions linguistiques ont défrayé la chronique en Alberta. La première était celle des carences de la diffusion française des Jeux olympiques de Calgary, et la seconde celle de « l'affaire Piquette » : le député francophone d'une circonscription albertaine a causé tout un émoi en s'adressant à l'Assemblée législative en français. Par ailleurs, des parents francophones des trois provinces de la Prairie se sont dépensés en querelles juridiques et autres afin de faire respecter dans leur intégrité les dispositions de l'article 23 de la Charte garantissant le droit à un enseignement dans leur langue.

La controverse soulevée par la mise en œuvre progressive de la *Loi sur les services en français* et la possibilité que l'Ontario devienne officiellement bilingue ont fait surface au cours de la campagne électorale de l'été 1987. Cependant, la mise en œuvre de la Loi suit son cours. La mise sur pied d'un conseil scolaire de langue française dans le comté d'Ottawa-Carleton va bon train et on envisage d'en créer un autre dans le comté de Prescott-Russell. La Cour suprême de l'Ontario a ordonné au gouvernement provincial et au conseil scolaire local de faire en sorte que les installations de l'école secondaire francophone à Penetanguishene soient comparables à celles de l'école secondaire de langue anglaise.

Les Anglo-Québécois regrettent que le gouvernement n'ait pas encore modifié les dispositions de la loi 101 visant l'affichage. D'autre part, la baisse de l'effectif du secteur scolaire anglophone a entraîné la réorganisation des écoles et la fermeture de quelques-unes d'entre elles. Le Commissaire suggère que l'on modifie promptement la loi ou la Constitution pour permettre le regroupement des élèves dans des commissions scolaires linguistiques. Alliance Québec craint, quant à elle, que les dispositions de l'accord du lac Meech relatives à la « société distincte » viennent compromettre les droits individuels des Anglo-Québécois.

Au Nouveau-Brunswick, les associations des communautés acadiennes n'ont pas manqué de soulever la question des droits linguistiques en période électorale. Fort d'une solide majorité, le nouveau gouvernement devrait pouvoir réaliser ses objectifs linguistiques dans un proche avenir. La Cour d'appel du Nouveau-Brunswick a rendu une importante décision dans l'affaire opposant la Société des Acadiens du Nouveau-Brunswick et autres intervenants à l'Association of Parents for Fairness in Education et au district scolaire n° 50. Le tribunal a statué que les classes d'immersion en français ne peuvent tenir lieu d'enseignement en français garanti à la minorité aux termes de la *Charte canadienne des droits et libertés*. Des parents de la Nouvelle-Écosse et de l'Île-du-Prince-Édouard ont réclamé devant les tribunaux la création d'écoles de langue française.

Si l'on a vu en 1987 beaucoup de mouvement sur le plan des principes, tel n'a pas été le cas du point de vue des mesures concrètes. Le gouvernement du Canada doit collaborer avec les provinces, le secteur privé et l'ensemble de la population pour garantir la survie et l'épanouissement de nos minorités de langue officielle.

La radiotélévision

L'année 1987 a été marquée par l'inauguration des trois premières radios communautaires de langue minoritaire. En effet, le CRTC a délivré des licences à des stations communautaires francophones du Nouveau-Brunswick et de l'Ontario, et à une station communautaire anglophone au Québec.

Malheureusement, les minorités n'ont pas été victorieuses sur tous les fronts. À quelques mois à peine de l'ouverture des Jeux olympiques de Calgary, force nous

a été de reconnaître que nombre de francophones hors du Québec n'auraient pas droit à la diffusion des Jeux dans leur langue. Le Commissaire a porté cet impair à l'attention du Comité permanent des communications et de la culture, en recommandant qu'à l'avenir, toutes les manifestations d'importance nationale soient diffusées dans les deux langues officielles partout au Canada. Le CRTC a autorisé des télédistributeurs de l'extérieur du Québec à retransmettre le signal du réseau TVA à leurs abonnés de langue française, mais les autres téléspectateurs auront dû se contenter des comptes rendus présentés par le réseau français de Radio-Canada.

La décision du CRTC d'octroyer à la Société Radio-Canada une licence l'autorisant à exploiter un service national spécialisé d'information en langue anglaise n'est pas passée inaperçue. Pour ce qui est d'un service comparable en français, la décision du CRTC ne faisait obligation à la Société que d'en étudier la faisabilité. Face aux réactions très vives de l'opinion, le gouvernement a demandé à Radio-Canada de revoir son projet. Le gouvernement fédéral doit adopter sans tarder une politique nationale de télédiffusion qui reflète le caractère distinct de la radio et de la télévision de langue française et de langue anglaise.

PARTIE V. LES LANGUES OFFICIELLES DANS L'ENSEIGNEMENT

Un renouveau

Les attentes des parents en ce qui touche les langues officielles dans l'enseignement sont considérables. Les parents des groupes minoritaires veulent disposer des moyens nécessaires pour assurer à leurs enfants un enseignement de qualité dans leur langue par le biais d'écoles autogérées. De même, la majorité des parents accordent un grande importance à l'apprentissage du français ou de l'anglais langues secondes. Malheureusement, les ressources humaines et financières ne sont pas proportionnelles à la demande. Depuis le début de la décennie 80, la valeur des fonds octroyés en vertu du Programme de langues officielles dans l'enseignement, en dollars constants, a progressivement diminué.

Si les provinces offrent maintenant à leur minorité francophone certains programmes d'enseignement dans leur langue maternelle, le réseau de programmes et d'écoles à leur intention n'est pas complet, et il reste encore des enfants qui ne bénéficient toujours pas d'un enseignement dans leur langue. Au chapitre de l'enseignement de la langue seconde, le nombre des programmes d'immersion en français est loin de satisfaire à la demande. L'accès de tous les enfants à des programmes efficaces pose également un problème. **Seule une augmentation des crédits affectés au Programme des langues officielles dans l'enseignement permettra aux autorités de reconnaître dans leur intégrité les droits constitutionnels des minorités sans diminuer leur capacité de satisfaire à la demande fondée pour un enseignement de la langue seconde de qualité supérieure.**

Mais il ne faut pas voir en l'augmentation des crédits un remède à tous les maux. De sérieux efforts doivent être consentis pour cerner les tendances et élaborer des programmes qui correspondent aux exigences de l'avenir. La planification à *tous* les niveaux du système d'enseignement doit tenir compte des besoins contradictoires et des problèmes propres à chaque région : pénurie d'enseignants, matériel didactique insuffisant, dispersion des étudiants, etc.

Nous recommandons, en raison des problèmes qui se posent notamment au Québec, que les dispositions législatives, voire même constitutionnelles, soient modifiées afin de permettre le regroupement des écoliers selon la langue. Conformément au mandat que lui conférerait le projet de loi C-72, le Secrétariat d'État se doit de participer de façon plus active à l'enseignement des deux langues officielles en coopérant avec les autorités provinciales pour la collecte et pour la diffusion de renseignements à ce sujet à la clientèle du Programme.

L'enseignement postsecondaire

La question de l'accessibilité à un enseignement postsecondaire en français à l'extérieur du Québec a été abordée dans le cadre du Colloque national sur l'éducation postsecondaire tenu à Saskatoon en octobre dernier. Cette initiative se voulait un effort concerté pour préparer le Canada aux défis que posera l'enseignement au XXI^{e} siècle.

À un degré moindre, les problèmes liés à la planification de l'enseignement postsecondaire en français ou en anglais ressemblent aux problèmes généraux traités lors du Colloque de Saskatoon : la redistribution des ressources à la lumière des besoins et des objectifs les plus urgents, et la répartition géographique des clients potentiels qui nuit inévitablement à l'accessibilité à un enseignement supérieur. Sauf au Québec, les maisons d'enseignement supérieur entièrement ou même partiellement de langue française sont rarissimes, et, la plupart du temps, les francophones fréquentent un collège ou une université bilingue, voire de langue anglaise. **Nous recommandons que le Secrétariat d'État, de concert avec le Conseil des ministres de l'Éducation du Canada, étudie de près la possibilité a) d'accorder des crédits supplémentaires aux établissements d'enseignement postsecondaire de langue française à l'extérieur du Québec qui jouent ou pourraient jouer un rôle de premier plan sur la scène régionale ; b) de créer de nouveaux établissements là où le besoin s'en fait le plus sentir.**

Il faut également penser aux diplômés des cours immersifs et aux autres étudiants qui ont acquis une connaissance fonctionnelle du français. Un grand nombre d'anglophones bilingues vont s'inscrire à des programmes universitaires au cours des prochaines années. Il convient donc d'évaluer dès maintenant la demande relative aux besoins en langue française de cette nouvelle génération d'étudiants

bilingues. Les efforts de recherche et de planification actuels sont loin de suffire à la tâche.

Les Anglo-Québécois ne sont pas à l'abri, eux non plus, des problèmes. Exception faite de la région montréalaise, le Québec compte peu de cégeps de langue anglaise. Dans le cas des cégeps francophones qui offrent des cours en anglais, le choix en est restreint et le taux d'inscription, bas.

« L'esprit de Saskatoon » encourage le gouvernement fédéral à procéder à une réforme ordonnée mais novatrice de son système d'enseignement supérieur qui corresponde aux exigences de l'avenir. L'adoption d'une stratégie des langues officielles dans l'enseignement jouera manifestement un rôle de premier plan dans l'aménagement linguistique national. **Nous recommandons que l'accessibilité à l'enseignement postsecondaire dans les deux langues officielles fasse partie intégrante du processus de consultation et de planification adopté dans le cadre du Colloque national de Saskatoon.**

COMMISSAIRE AUX LANGUES OFFICIELLES

COMMISSIONER OF OFFICIAL LANGUAGES

RAPPORT ANNUEL 1987

©Ministre des Approvisionnements et Services Canada 1987

N° de cat. SF1-1987

ISBN 0-662-55573-2

Monsieur le Président
du Sénat
Ottawa

Monsieur le Président,

Conformément à l'article 34(1) de la *Loi sur les langues officielles*, je soumets au Parlement, par votre intermédiaire, le dix-septième Rapport annuel du Commissaire aux langues officielles qui se rapporte à l'année civile 1987.

Je vous prie d'agréer, Monsieur le Président, l'assurance de ma très haute considération.

Le Commissaire aux langues officielles,

D'Iberville Fortier

Mars 1988

Monsieur le Président
de la Chambre des communes
Ottawa

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Avant-propos

Notre dernier Rapport annuel désignait 1987 « l'Année du test ». En effet, tout semblait prêt pour la relance législative et administrative de notre régime linguistique attendue depuis 1982. Pouvons-nous dire, un an plus tard, que l'État ait passé le test ? À notre avis, ce fut plutôt la saison des semences que celle des récoltes.

Par exemple, 1987 devait apporter avec l'accord du lac Meech une confirmation de l'importance fondamentale de la dualité linguistique canadienne et l'espoir de la réintégration du Québec dans le giron constitutionnel, sans quoi nous ne saurions parler d'un pays uni. Malgré ses imperfections, cet accord marque un grand pas en avant.

En juin 1987, en déposant le projet d'une nouvelle loi sur les langues officielles, projet qui fut généralement fort bien accueilli et dont on trouvera notre analyse dans ces pages, le gouvernement commençait à s'acquitter d'une promesse qui hélas n'était toujours pas remplie à la fin de l'année. Espérons qu'il sera adopté après l'examen attentif qu'il mérite, mais sans retards indus. Avant d'avoir tous ses effets, la loi devra cependant être complétée par une réglementation portant sur plusieurs questions majeures, telle la définition de la « demande importante » en ce qui a trait aux services bilingues.

En permettant la consolidation de dispositions constitutionnelles, d'une résolution parlementaire et de certaines recommandations d'organismes intéressés, cette nouvelle loi renforce les droits des citoyens. Elle favorise aussi un nécessaire renouveau en imposant la rationalisation des objectifs et des méthodes de l'État. Elle correspondra, croyons-nous, aux attentes de la société canadienne en explicitant le rôle du gouvernement central dans une fédération possédant deux langues officielles. Notre partenariat national devrait en sortir renforcé.

Qu'il me soit permis de rendre hommage à mes prédécesseurs de n'avoir pas attendu que le législateur mette les points sur les « i » avant d'affirmer l'unité de ce grand dessein, dont le bilinguisme de l'État fédéral ne constitue, pour important qu'il soit, qu'un élément. C'est évidemment dans la liberté de choix que le bilinguisme des personnes continuera à s'épanouir.

Un projet de loi sur le multiculturalisme déjà déposé, l'annonce d'un autre sur la citoyenneté et d'une révision en profondeur de la *Loi sur la radiodiffusion*

seraient appelés à prendre place avec la nouvelle loi sur les langues officielles dans une espèce d'arsenal destiné à renforcer l'identité canadienne à l'heure fatidique du libre-échange. La dynamique d'un marché nord-américain élargi nécessitera, malgré l'exemption prévue pour les industries culturelles, une vigilance accrue et des politiques concrètes pour assurer que le fragile équilibre entre nos deux langues officielles n'en soit pas affecté. Ces mesures devront être évaluées selon leurs mérites propres, mais qui pourrait nier qu'un tel ensemble, si chacune de ses composantes contribue vraiment à l'objectif recherché, réponde à un besoin réel, voire indispensable?

Par ailleurs, la performance fédérale courante, comme nous le verrons dans ce rapport, fut à quelques exceptions près moins remarquable, sinon tout à fait médiocre. Il fallut l'acharnement du Comité mixte permanent des langues officielles et, pourquoi le taire, celui du Commissariat pour susciter ou épauler un regain de conscience linguistique dans une partie de l'administration fédérale. Il suffit de lire les rapports et les procès-verbaux de ce Comité pour se rappeler jusqu'à quel point l'application de la *Loi sur les langues officielles* est restée, dans trop de ministères et d'organismes fédéraux, irrégulière, insuffisante et quelquefois même méprisante à son endroit et à celle des contribuables. Nous osons espérer que les quelques heureuses initiatives, prises surtout depuis l'automne par les organismes centraux, ont marqué l'amorce d'un renouveau qui ira en s'amplifiant en 1988 pour être à la hauteur des objectifs proclamés. Les effets ne s'en sont encore guère fait sentir par nos minorités qui devraient pourtant en être les premières bénéficiaires.

On a pu observer dans plusieurs provinces les signes d'une plus grande ouverture d'esprit. Nous sommes encore bien loin, cependant, dans la plupart des cas, de la justice scolaire et de la reconnaissance pratique des droits correspondant aux obligations qu'elles ont acceptées dans la *Charte canadienne des droits et libertés* et dans l'accord du lac Meech, à l'endroit de leurs minorités de langue officielle. Les négociations en cours pour le renouvellement de l'accord fédéral-provincial sur le financement du Programme des langues officielles dans l'enseignement, et celles relatives aux services provinciaux dans la langue minoritaire, revêtiront sous ce rapport une importance symbolique et pratique que nous ne saurions surestimer.

Les diverses instances judiciaires n'en finissent plus, pour leur part, de clarifier les droits linguistiques existants. Leurs arrêts de l'année ont, de notre point de vue, marqué quelques progrès. Mais c'est maintenant de la Cour suprême que nous attendons des décisions faisant jurisprudence. Les plus importantes d'entre elles sont l'aire géographique d'application de certains droits constitutionnels d'ordre historique (comme les régimes linguistiques de la Saskatchewan et de l'Alberta), les obligations encourues par les provinces en matière scolaire en vertu de l'article 23 de la Charte, la constitutionnalité de la loi québécoise dans ses dispositions relatives à la langue d'affichage. Semences donc de part et d'autres plutôt que récoltes. Test à compléter!

Les signes avant-coureurs d'un renouveau nous ont cependant semblé assez perceptibles pour que nous écartions la notion qu'en matière de réforme de notre régime linguistique, il faille accepter la règle de l'éternel recommencement, le mythe de Sisyphe. Notre foi nord-américaine dans le progrès perpétuel s'est peut-être affaiblie au cours des ans, mais non point notre confiance dans notre capacité d'aménager des rapports sociaux plus féconds dans notre pays. Voilà pourquoi nous ne craignons pas, au seuil de la deuxième grande étape de la réforme de notre régime linguistique national, d'affirmer le triple objectif de « l'*égalité*, la *qualité*, la *continuité* ».

- L'*égalité* est celle que proclament la Constitution et la Loi.
- La *qualité* est celle à laquelle nous avons droit dans nos deux idiomes, qu'il s'agisse de la langue parlée ou écrite, des services officiels, de l'enseignement en langue minoritaire et en langue seconde, de la gestion des deniers de l'État.
- La *continuité*, enfin, c'est, d'une part, la volonté des chefs politiques et administratifs de jouer franchement le jeu et de lui consacrer les ressources nécessaires, et, d'autre part, celle des citoyens et des groupements de rester vigilants et d'exiger ce qu'ils ont le droit d'attendre de leurs serviteurs.

Ce rapport suit le schéma traditionnel, mais jette un regard particulièrement appuyé vers l'avenir et offre des recommandations spécifiques. Contrairement à ce que d'aucuns semblent craindre, il ne s'agit pas de faire la révolution, mais plutôt de prendre un nouveau départ à partir d'acquis déjà substantiels.

D'I. F.

PARTIE I

Un projet national

Affaires d'État : l'amorce d'un renouveau

Nombreux sont les Canadiens qui se sont livrés, en 1987, au réexamen de leurs valeurs nationales ; et si nous n'avons toujours pas atteint la Terre promise de l'égalité linguistique, du moins avons-nous entamé une réflexion sur les rapports qui existent entre la politique des langues officielles et les autres valeurs canadiennes. La situation, en effet, a permis d'élaborer non seulement des hypothèses touchant l'avenir, mais aussi des principes constitutionnels, politiques, économiques et sociaux sur lesquels nous pourrons nous appuyer. La perspective d'une entente sur le libre-échange avec les États-Unis, le renouveau de nos liens avec la francophonie et le Commonwealth, un accord constitutionnel acceptable, en principe, à la fois au Québec et aux autres provinces, des projets de loi sur les langues officielles et le multiculturalisme, et la possibilité de nouvelles lois et politiques en matière de communications, de télédiffusion, de citoyenneté et d'immigration, tout cela paraît témoigner d'une volonté de jeter les bases, pour le XXI[e] siècle, d'un pays concurrentiel et vigoureux sur le plan culturel. Mais il nous a également fallu analyser de façon objective ces perspectives alléchantes afin de déterminer leur compatibilité et leur importance respective, et examiner notre rendement actuel afin d'évaluer les possibilités d'atteindre ces buts.

Un climat favorable au changement

Après avoir longuement étudié les fondements constitutionnels, juridiques et administratifs de l'action fédérale en matière de respect de l'égalité linguistique, on nous propose enfin un nouveau projet de loi sur les langues officielles. Avant d'examiner celui-ci en détail, considérons le climat favorable au changement qui règne actuellement. L'objectif du bilinguisme officiel a des significations diverses pour les différents individus et groupes qui composent la société canadienne, significations dont il importe de débattre à la lumière des différentes visions de l'avenir national. Notre politique linguistique nationale tire ses origines de l'histoire du Canada, de sa situation démographique et, surtout, de l'idée que l'on se fait de la capacité de l'État de garantir un traitement équitable au français et à l'anglais à l'échelle nationale. Il sera difficile d'assurer la force et la cohésion de notre pays tant que plusieurs groupes, au sein de l'une ou l'autre des deux communautés linguistiques, auront l'impression de ne pouvoir au même titre que les membres de l'autre communauté participer dans leur langue, et à leur façon, à l'entreprise nationale. C'est la volonté nationale de modifier cette situation qui fonde la

légitimité du programme, légitimité dont dépend, dans une large mesure, son efficacité.

La croissance de l'appui manifesté par le public à la réforme linguistique constitue l'une des tendances les plus réjouissantes des dernières années. Si les points de vue exprimés par les autorités, les médias et les citoyens sont loin d'être uniformes, les témoignages encourageants sont pourtant trop nombreux pour qu'on puisse les attribuer au hasard. Pour ne citer que les exemples les plus évidents, il y a eu en 1987 l'organisation généralement bilingue des Jeux olympiques d'hiver de Calgary ; la tenue, à Saskatoon, d'un Colloque national entièrement bilingue sur l'enseignement postsecondaire ; les échanges soutenus entre les principales associations des minorités francophones et anglophones, ainsi qu'entre les parents, les enfants, les enseignants et les spécialistes des deux groupes linguistiques ; les commentaires judicieux et modérés des médias ; et, au Nouveau-Brunswick et en Ontario, un certain refus populaire des affrontements linguistiques en période électorale.

Pourtant, il est peut-être un peu tôt pour parler d'une nouvelle vague de soutien au bilinguisme. L'anxiété et la dissidence se sont certainement fait sentir aux échelons fédéral et provincial : bon nombre de gens ne sont pas encore convaincus du réalisme ou de la rentabilité d'une politique de bilinguisme, ni de la nécessité d'améliorer et de consolider le régime actuel. Certains Canadiens craignent sincèrement la menace que laisserait planer sur les droits individuels ou collectifs, en dépit des garanties constitutionnelles et juridiques, le bilinguisme d'État. Rien ne serait plus malencontreux que de négliger ces inquiétudes qui se situent, en fait, au cœur de notre mission : celle d'augmenter la compréhension et la sympathie entre les Canadiens d'expression française et anglaise.

Bien entendu, l'appui manifesté à l'égalité linguistique varie selon la répartition des deux collectivités à travers le pays. Mais n'est-ce pas l'essence même du fédéralisme, justement, que de permettre de telles différences ? Cette diversité s'illustre par la variété des réponses obtenues lorsqu'on a demandé à 1 041 Canadiens, au cours d'un sondage Gallup effectué en septembre dernier à l'échelle du pays, si leur province devrait se doter de deux langues officielles pour assurer la prestation de services bilingues. Si la question était peut-être ambiguë, les résultats sont néanmoins instructifs.

Tableau I.1

Répartition régionale des réponses à la question suivante : « Êtes-vous d'avis que cette province devrait avoir deux langues officielles — le français et l'anglais — de façon à ce que les services gouvernementaux soient offerts dans ces deux langues ? »

	Oui %	Non %	Ne sait pas %
National	52	45	3
Provinces atlantiques	66	34	—
Québec	73	23	4
Ontario	49	48	3
Prairie	33	63	4
Colombie-Britannique	29	70	2

Source : Sondage Gallup.

Les conséquences du libre-échange

L'accord proposé sur le libre-échange entre le Canada et les États-Unis vise à renforcer la position du Canada dans les marchés mondiaux et à en faire « un pays plus riche, qui peut se permettre d'appuyer ses entreprises culturelles et de préserver et d'améliorer de la sorte la qualité de vie de ses citoyens ». À nos yeux, cela signifie qu'un Canada plus puissant sur le plan économique serait mieux en mesure de promouvoir son originalité culturelle et ce, en dépit des pressions qu'une telle entente peut exercer en faveur de l'assimilation au modèle américain.

Les auteurs de l'entente ont manifestement songé aux langues officielles en en rédigeant certaines clauses. Le concept de « traitement national » qui en constitue la base signifie en effet que le Canada peut continuer de mettre en œuvre diverses mesures régissant l'usage du français et de l'anglais, à condition que ces mesures s'appliquent également aux fournisseurs des deux pays. Le texte explicatif qui accompagne l'accord précise par exemple que « les prescriptions canadiennes en matière d'étiquetage bilingue continueront à s'appliquer à tous les produits, qu'ils soient importés ou fabriqués au Canada ». L'article 2005 rassure également, puisqu'il exclut explicitement des dispositions de l'accord les « industries culturelles » (film et vidéo, enregistrement sonore, édition, télédistribution et télédiffusion).

La difficulté à cet égard ne provient pas du texte même de l'entente, mais des dimensions respectives des marchés francophone et anglophone pour ce qui est, par exemple, de l'informatisation des services d'information. Pour compenser les économies d'échelle qu'offre le marché anglophone aux entreprises qui œuvrent dans ce secteur, ou dans le secteur culturel même s'il n'est pas assujetti à l'entente, les entreprises francophones du Canada devront, avec l'appui du gouvernement, mettre en place un système de compensation au pays, ou encore conclure des ententes avec d'autres pays francophones. Pour respecter le principe de l'équité envers les deux collectivités linguistiques, le gouvernement doit disposer d'une marge de manœuvre suffisante pour intervenir dans le cas des produits culturels ou autres pouvant avoir des conséquences différentes pour le français et l'anglais. C'est à cette seule condition que les bienfaits économiques prévus pourront vraiment « améliorer la qualité de vie des Canadiens et préserver leurs valeurs nationales ».

L'entente du lac Meech

Si les dispositions de l'entente du lac Meech qui nous intéressent visent avant tout à offrir une certaine interprétation de la Constitution, elles pourraient aussi modifier considérablement le climat linguistique du pays. Il s'agit des clauses suivantes :

1. a) La reconnaissance du fait que l'existence des collectivités de langue française et anglaise, et les relations qui les unissent, sont « une caractéristique fondamentale du Canada », et que

   b) « le Québec forme au sein du Canada une société distincte ».

2. « Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visé à l'alinéa (1)a). »

3. « La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1)b). »

L'exposition de ces principes tant au Parlement qu'à l'Assemblée nationale ont fait apparaître nettement que leur interaction pouvait susciter, en pratique, des interprétations divergentes, et que leur ratification sous leur forme actuelle procurera bien du travail aux tribunaux : ceux-ci devront en effet déterminer l'ordre de priorité parmi ces principes et ceux énoncés ailleurs dans la Constitution.

L'existence de la dualité linguistique et son importance comme caractéristique fondamentale du pays sont incontestables. En s'engageant à préserver cette dualité, le Parlement et les assemblées législatives des provinces reconnaissent sans doute que toute atteinte à cette dualité menace la trame même du pays. Quant à l'idée que le Québec constitue au sein du Canada une société distincte, elle nous paraît tout à fait conforme à la réalité sociologique et historique. Ces deux affirmations se veulent pourtant beaucoup plus que des truismes. En effet, l'idée de la « société distincte » est associée ouvertement à la tâche de « protéger et promouvoir le caractère distinct du Québec » qui est attribuée au gouvernement et à l'Assemblée nationale de cette province. Deux aspects de cet énoncé nous laissent songeurs : d'une part, aucune précision n'est apportée quant à la nature du caractère distinct reconnu au Québec ; d'autre part, on lui confie un rôle particulier de *promotion* de ce caractère qui s'ajoute à l'obligation conférée à tous les gouvernements de préserver la dualité linguistique.

Nous ne pouvons nous empêcher de poser certaines questions à ce sujet. Qu'en est-il du principe constitutionnel — très général, il est vrai — énoncé à l'article 16(1) de la *Charte canadienne des droits et libertés*, et d'après lequel « le français et l'anglais sont les langues officielles *du Canada* » ? (C'est nous qui soulignons.) Par opposition à son apport législatif, quel doit être l'apport constitutionnel du gouvernement canadien à la préservation *et* à la promotion des deux langues officielles au Québec et ailleurs ? Il s'étend sûrement au-delà de l'engagement constitutionnel de préserver les communautés minoritaires, aussi important soit-il. Les autorités semblent affirmer que le gouvernement canadien peut se contenter d'un rôle législatif. Cet argument ne nous semble pas très convaincant.

La rivalité entre différents intérêts et différents besoins constitue le cœur du problème. L'érosion des assises démographiques du français en Amérique du Nord met cette langue dans une situation précaire, et c'est pourquoi plus de 6 millions de Canadiens dont la langue maternelle est le français — et dont 85 p. 100 vivent au Québec — éprouvent depuis longtemps le besoin d'obtenir un pouvoir plus important en matière linguistique et un appui plus marqué des deux ordres de gouvernement. Quant aux Canadiens de langue anglaise, les sondages révèlent qu'ils sont de plus en plus nombreux à reconnaître qu'il s'agit là d'une juste revendication. Ils veulent cependant s'assurer que les mesures visant à répondre

aux besoins spéciaux du français respectent également les besoins légitimes des Anglo-Québécois. Il ne s'agit pas de prétendre que les deux minorités connaissent des difficultés identiques ou même symétriques. Tel n'est pas le cas. Mais s'il s'avère difficile d'établir l'équation linguistique canadienne, cela ne signifie pas pour autant qu'on ait le droit d'en esquiver les termes. Chacun est conscient des positions extrêmes que certains adoptent de part et d'autre, et des solutions radicales qu'ils préconisent. Mais la majorité des électeurs canadiens et de leurs représentants refusent toujours aussi fermement de sortir du dilemme linguistique canadien par la voie d'une polarisation territoriale qui constituerait, en dernière analyse, un véritable suicide national. Or quels que soient ses défauts, le bilinguisme officiel sous une forme ou une autre paraît la seule façon d'éviter le démembrement graduel du Canada.

Les dispositions linguistiques de l'accord du lac Meech constituent une honnête tentative de s'attaquer à ce problème. Mais si nous ne pouvons qu'applaudir à la pleine adhésion du Québec à la constitution canadienne, nous estimons cependant que l'entente, sous sa forme actuelle, n'offre pas un équilibre entièrement satisfaisant entre l'engagement général de protéger la dualité et l'affirmation particulière du rôle du Québec dans la protection et la promotion de son caractère distinct. Cette différence de quelques mots pourrait avoir des répercussions considérables sur l'équilibre linguistique du pays. Comme nous l'avons signalé dans un mémoire soumis au Comité mixte spécial de l'entente constitutionnelle de 1987, il conviendrait d'insérer le mot « promouvoir » aux deux endroits et de s'engager ainsi vis-à-vis les deux minorités de langue officielle à l'échelle du pays. En effet, le caractère distinct de la société québécoise nous paraît indissociable, tant du point du vue historique qu'à l'heure actuelle, de l'apport de la communauté anglo-québécoise, et c'est pourquoi cet apport devrait être reconnu clairement.

Une nouvelle Loi sur les langues officielles

Tant le préambule que le corps même du projet de loi sur les langues officielles (projet de loi C-72) manifestent clairement la volonté du gouvernement fédéral de promouvoir et de préserver, dans la mesure de ses pouvoirs, à la fois le français et l'anglais à travers le Canada. « Dans la mesure de ses pouvoirs » : il s'agit là d'une condition importante. Ce projet de loi tant attendu offre l'assurance que le gouvernement fédéral compte renforcer, du point de vue juridique et pratique, le principe de l'égalité linguistique. De même, le Parlement semble disposé à engager le pays, de façon non équivoque, dans la voie d'un égal respect des deux langues dans d'autres domaines. Le plan d'action proposé pour atteindre cet objectif est impressionnant : reste à voir, bien sûr, si le gouvernement fédéral s'est vraiment doté de tous les outils nécessaires pour mener l'ouvrage à bien.

Le rendement fédéral

Depuis 18 ans, l'un des grands objectifs du gouvernement fédéral a été d'offrir aux Canadiens des deux groupes, quel que soit leur poids démographique, l'assurance qu'ils peuvent obtenir des organismes fédéraux la même considération. C'est dire que l'État s'engage, sinon à n'accorder aucune importance au nombre, du moins à ne pas en faire un prétexte justifiant l'inégalité de traitement. C'est

d'ailleurs selon ce critère fondamental de la *Loi sur les langues officielles* que nous évaluons chaque année le rendement de l'appareil fédéral. Or si le second semestre de 1987 s'est révélé nettement plus prometteur que le premier, il nous faut pourtant observer que la performance du gouvernement n'a pas été extraordinaire cette année, comme l'ont abondamment illustré les audiences du Comité mixte permanent. Ainsi, 1987 fut une autre année de transition qui a donné aux deux collectivités linguistiques des raisons d'estimer qu'on n'a pas pleinement respecté les droits linguistiques que leur confère la Loi. Comme nous l'écrivions à son président en avril dernier, c'est au Conseil du Trésor, à titre de gestionnaire principal du programme, qu'incombe avant tout la responsabilité de cette situation. En se montrant incapable d'insuffler vie à la relance de la réforme, le Conseil aura suscité un sérieux malaise au sein de l'appareil fédéral. Heureusement, les gestes administratifs posés en fin d'année donnent à croire que l'entracte est terminé et que le rideau se lèvera bientôt sur une scène plus animée.

Au-delà de l'appareil fédéral

Les provinces à majorité anglophone

Du point de vue linguistique, les provinces et les territoires à majorité anglophone ont connu en 1987 une année mouvementée. Plusieurs d'entre eux se sont attelés — encore que bien timidement — à la tâche de respecter leurs engagements, constitutionnels ou autres, d'offrir un traitement plus équitable aux minorités francophones. L'activité que l'on a observée est largement attribuable aux efforts de groupes de parents et de dirigeants de la communauté qui ont demandé aux autorités provinciales et aux conseils scolaires de manifester plus d'imagination et de zèle dans l'application de l'article 23 de la Charte, qui leur enjoint d'offrir à la minorité un enseignement correspondant à ses besoins et sur lequel elle exerce un contrôle approprié. Mais si l'on a fait quelques pas dans la bonne direction, on l'a souvent fait avec de telles réticences — et les efforts exigés des parents sur le plan légal et politique ont été si ardus — qu'il y a lieu de se demander si certaines provinces y croient vraiment.

La question de la place que doit occuper le français dans les assemblées législatives, devant les tribunaux, ainsi que dans les services provinciaux et municipaux s'est posée à maintes reprises. Elle a été soulevée en Alberta notamment où les efforts du député francophone Léo Piquette pour obtenir la reconnaissance — ne serait-ce que symbolique — du français à l'assemblée législative sont devenus une cause célèbre qui a suscité l'intervention du premier ministre Mulroney en personne. Tout compte fait, cependant, la réaction du public aux problèmes des minorités s'est avérée plus ouverte que par le passé.

Québec

Comme en témoignent à la fois l'accord du lac Meech et le projet de loi C-72, le gouvernement fédéral n'est plus le seul à tenter de concilier les besoins du français et de l'anglais. Pour de nombreux Canadiens anglais, le Québec est sans doute avant tout une province dont la seule langue officielle est le français. Il n'est donc pas surprenant qu'ils éprouvent du mal à réconcilier cette notion avec le fait qu'il s'agit, à bien des égards, de la province la plus bilingue du Canada.

Après l'adoption fort heureuse, l'an dernier, de la loi 142 garantissant la prestation de services sociaux et de santé en anglais, c'est la question de l'affichage commercial bilingue qui a pris la vedette une fois de plus au Québec. Il s'agit du droit des commerçants, notamment à Montréal, d'employer pour l'affichage et la publicité une langue autre que le français — c'est-à-dire, dans la grande majorité des cas, l'anglais. Ce problème en apparence superficiel a des incidences constitutionnelles, juridiques et symboliques qui font actuellement l'objet d'un examen par la Cour suprême du Canada. En attendant, le débat qu'il a suscité manifeste tous les aspects les plus frustrants des conflits linguistiques : échauffement des esprits, partisanerie, tendance à la polarisation des deux camps. Il est difficile, dans une telle ambiance, de prendre des décisions à la fois réalistes et équitables en matière de politique. Ainsi, les difficultés qu'éprouve le gouvernement du Québec à fixer ses choix, et qu'il a exprimées en public, proviennent surtout de ce qu'il cherche à tenir compte d'une variété d'électorats linguistiques.

Le fait que les francophones n'aient toujours pas suffisamment confiance dans la vitalité du français au Québec pour permettre le libre emploi de l'autre langue officielle du Canada — qui, selon le recensement de 1981, est la principale langue parlée à la maison pour une personne sur cinq dans le Grand Montréal — nous paraît toujours aussi inquiétant. La plupart des Canadiens acceptent l'idée qu'il est juste d'accorder la primauté à la langue de la majorité de la province et de promouvoir activement son usage dans tous les contextes sociaux possibles. Mais le salut du français, au Québec ou ailleurs, passe sûrement par l'affirmation de son poids démographique, de sa vitalité culturelle et de son pouvoir d'attraction propre, plutôt que par l'humiliation de sa rivale.

Le secteur privé

Au moment où l'on se propose, au moyen du projet de loi C-72, d'étendre quelque peu la portée de la loi linguistique au secteur privé — tout au moins en l'aidant à contribuer à l'égalité des deux langues certaines associations, aidées d'une petite équipe au sein du Secrétariat d'État, ont montré la voie d'une véritable collaboration. L'objectif visé est de faire adopter par le plus grand nombre possible d'associations bénévoles et d'entreprises nationales des lignes directrices assurant un traitement plus équitable aux organismes membres et, à travers eux, à leur clientèle francophone et anglophone. Plusieurs associations ont maintenant mis au point de tels principes, tandis que le Secrétariat d'État et la Chambre de commerce du Canada ont rédigé des guides utiles. La Société canadienne des directeurs d'associations, principal maillon de la chaîne, a créé un groupe de travail chargé d'analyser les besoins des secteurs privé et volontaire et de formuler des recommandations au Secrétariat d'État au début de 1988. Il lui faut en particulier déterminer comment faire un emploi optimal des conseils, des services et des fonds, aussi modestes soient-ils, que le gouvernement fédéral peut y consacrer. Car comme nous le verrons plus loin, les ressources dont ce dernier dispose dans le domaine des langues officielles sont loin d'être illimitées.

Un conseil canadien des langues officielles

Au moment du dépôt du projet de loi C-72, on a mis de l'avant une idée intéressante : celle que le gouvernement parviendrait mieux à favoriser le respect entre les deux collectivités linguistiques s'il avait régulièrement l'occasion de connaître l'opinion informée d'un groupe restreint mais représentatif de citoyens canadiens

— un Conseil canadien des langues officielles — et d'examiner avec eux diverses options en matière de politique. Le gouvernement a fait preuve de sagesse en prêtant l'oreille, lors de l'élaboration du projet de loi et par la suite, aux réactions des citoyens touchant les relations culturelles en général et les relations entre francophones et anglophones en particulier. Or il est évident que ce processus doit être permanent. À moins que nous ne nous trompions fort, en effet, le gouvernement aura découvert que de nombreux points de vue tout à fait sincères, mais pas toujours compatibles, ont cours, et que pour la plupart des gens l'égalité linguistique — ou la politique du multiculturalisme — se conçoit en termes de « donnant, donnant ». Il serait naïf d'imaginer le contraire. Mais il importe cependant de ne pas imposer une camisole de force à ceux qui élaborent la politique fédérale : la recherche coûte que coûte d'un consensus dans le domaine linguistique et culturel pourrait entraîner des conséquences néfastes, à long terme, pour tous les intéressés.

Si l'éventuel Conseil canadien des langues officielles s'en tient à la mission de promouvoir les langues officielles au sein de la société canadienne, et s'il se montre particulièrement attentif aux minorités de langue officielle qui ont parfois de la difficulté à se faire entendre lors de larges consultations — sans toutefois supplanter leurs propres porte-parole —, il pourra sans doute faire œuvre utile. Mais compte tenu de la délicatesse de la situation, et des nombreuses attentes qu'elle suscite, nous recommandons fortement qu'un tel Conseil ne se contente pas de recueillir des opinions plus ou moins divergentes, mais qu'il fasse preuve d'imagination dans son appui aux objectifs du programme et qu'il offre des solutions pratiques aux nombreux problèmes qu'il pose.

Le multiculturalisme

Le gouvernement a donné à entendre que le projet de loi sur les langues officielles, celui sur le multiculturalisme et le projet de loi à venir sur la citoyenneté constituaient pour lui un ensemble qui favorisera des rapports plus harmonieux entre les Canadiens. Il est certain que ces trois initiatives touchent des thèmes voisins et qu'il faudra les harmoniser, à la fois entre eux et avec les autres éléments du projet canadien. La difficulté tient cependant à ce que les valeurs nationales qu'incarnent le bilinguisme, le multiculturalisme et la citoyenneté ne sont pas identiques : il incombe donc aux autorités de les réconcilier.

En élaborant un projet de loi sur le multiculturalisme plus riche sur le plan de la politique que des réalités législatives, le gouvernement a laissé de côté bon nombre des recommandations d'un comité mixte qui avait conseillé, entre autres choses, la création d'un ministère du Multiculturalisme autonome et d'un Commissaire aux affaires multiculturelles doté de pouvoirs de protecteur du citoyen semblables aux nôtres. Aux yeux de certains journalistes, le projet de loi n'a semblé qu'une simple ratification juridique d'une politique et de programmes qui existent depuis plusieurs années et qui ont déjà quelque difficulté à se réaliser. Quoi qu'il en soit, les associations multiculturelles, si elles se sont dites plus ou moins déçues

par le projet de loi, ont cependant paru convenir en fin de compte qu'il s'agissait pour elles d'un important pas en avant.

La composition linguistique et culturelle du Canada est appelée à se transformer. Nous cherchons à établir un sain équilibre entre l'histoire de nos institutions — source de continuité culturelle — et l'essor d'un nouveau Canada à la fois dynamique et uni. Toutes les langues et toutes les cultures se valent sans doute devant Dieu, mais les lois de la nature et des nations sont moins absolues. Et en affirmant que le Canada doit devenir sur le plan institutionnel un pays multiculturel mais bilingue, on énonce une proposition fort ambiguë, pour la simple raison que les langues et les cultures sont, dans une certaine mesure, indissociables. Nous ne pouvons que le répéter : le respect et l'appui accordés à l'échelle nationale aux nombreuses langues autres que le français et l'anglais qui sont parlées au Canada ne peuvent être les mêmes que ceux dont bénéficient nos langues officielles. Cela serait irréaliste, et on ne peut que faire du tort aux nouveaux Canadiens, y compris ceux de souche française ou britannique, en les encourageant de façon active ou passive dans l'idée qu'ils n'auront pas à adapter leurs comportements culturels en fonction des normes canadiennes. De nombreux autres groupes linguistiques — à commencer par les peuples autochtones — ont largement contribué et pourraient contribuer bien davantage à la richesse culturelle qui suscite la fierté de la plupart des Canadiens. Il est important que l'État reconnaisse cet apport et qu'il encourage la diversité qui fonde notre identité.

Il ne s'agit pas tellement de savoir si l'idéal du multiculturalisme constitue un élément essentiel de la Constitution, que de déterminer la signification de cet idéal et sa portée concrète. Nous espérons sincèrement qu'aucun Canadien ne fasse l'objet de discrimination en raison de ses origines ethno-culturelles. Nous ne pouvons cependant oublier notre aspiration fondamentale : celle de constituer une nation d'expression française et anglaise. Ainsi, lorsque le projet de loi C-93 affirme : « Attendu que la Constitution du Canada... proclame, de même que la *Loi sur les langues officielles*, le statut du français et de l'anglais comme langues officielles du Canada », le ministre responsable du Multiculturalisme pourra « faciliter l'acquisition et la retention de connaissances linguistiques dans chaque langue qui contribue au patrimoine multiculturel du Canada, ainsi que l'utilisation de ces langues », il nous faut comprendre comment ces propositions quelque peu contradictoires peuvent se combiner. On ne peut en tout cas en conclure qu'à l'échelle nationale, du moins, ces autres langues aient droit au même traitement institutionnel — ou à la même promotion — que les langues officielles. Il faut plutôt comprendre qu'il est dans l'intérêt national, dans la mesure où le permettent nos moyens et le bilinguisme fondamental de nos institutions, d'aider les Canadiens à titre individuel à acquérir, à garder et à employer ces langues. L'acquisition, le maintien et l'usage d'au moins une de nos deux langues officielles constituent, quant à eux, une priorité nationale.

Entre l'assimilation complète des langues patrimoniales et la mêlée générale en matière linguistique, l'action des institutions peut prendre diverses formes. La

promotion de ces langues au sein des écoles publiques, par exemple — qu'il s'agisse d'une transition vers la formation en français ou en anglais ou de l'étude d'une deuxième ou d'une troisième langue pour des raisons culturelles ou économiques bien légitimes — nous paraît à la fois juste et productive. Malheureusement, on n'échappe pas pour autant aux réalités que sont le nombre des élèves, la programmation scolaire et les coûts de l'enseignement. Comme plusieurs, nous croyons que nous sommes encore loin des objectifs du projet de loi C-93, qui vise notamment à interdire la discrimination ethnique et culturelle. La difficulté en cette matière est moins de concilier ces objectifs avec ceux du bilinguisme que de concilier entre elles les nombreuses notions de pluralisme culturel que nous entretenons.

La démographie linguistique

Voyons maintenant les caractéristiques linguistiques du peuple canadien au nom duquel s'accomplissent tant d'efforts constitutionnels et institutionnels. Si de tels efforts ont un sens pour nous, nous ne pouvons que nous intéresser aux effets de la réforme linguistique sur la valeur qu'attachent les Canadiens à l'usage du français ou de l'anglais dans leur vie quotidienne. Si chacun de nos rapports annuels constitue en quelque sorte une glose sur l'efficacité des programmes linguistiques fédéraux ou autres à cet égard, nous nous fions nécessairement — et peut-être à l'excès — aux recensements désormais quinquennaux pour obtenir des chiffres qui préciseront nos estimations.

Le recensement de 1986

En juillet 1987, Statistique Canada a publié la deuxième tranche d'un important ensemble de données provenant du recensement de 1986. On y trouve des renseignements sur la langue maternelle de la population canadienne et une description des tendances visibles en ce domaine depuis 1951. (On attend au printemps 1988 la publication de la troisième et dernière tranche, qui comportera des données et des analyses de tendances en ce qui touche la « langue parlée à la maison » et le bilinguisme français-anglais chez les individus.) La langue maternelle, telle que la définit le recensement canadien, constitue un critère d'identification assez ambigu : d'une part, un certain nombre de personnes estiment avoir appris au cours de leur enfance plusieurs langues qu'ils continuent de comprendre ; d'autre part, la capacité de comprendre sa langue maternelle ne nous renseigne guère sur la capacité ou les occasions de l'employer.

Les statistiques touchant la langue maternelle

S'il est certain que l'on peut évoluer, au cours d'une vie, sur le plan linguistique et culturel, il reste cependant que pour évaluer la vitalité des collectivités de langue officielle au Canada, le critère le plus fondamental est celui de la langue apprise au moment où l'on maîtrise le langage lui-même. Or d'après ce critère, il ne fait aucun doute que le français n'a cessé de perdre du terrain au Canada depuis la Seconde Guerre mondiale. En effet, alors que 29 p. 100 de la population avait le français comme langue maternelle en 1951, cette proportion n'était plus que de 25 p. 100 en 1986, et il semble qu'elle diminuera encore d'ici l'an 2000. Par contre, le français semble se maintenir solidement pour le moment dans les régions

Tableau I.2

Répartition de la population canadienne selon la langue maternelle[a] dans chaque province et territoire et dans l'ensemble du Canada, 1981 et 1986

	Français		Anglais		Autres		Total	
	1981	1986	1981	1986	1981	1986	1981	1986
Territoires du Nord-Ouest	1 235 (2,7%)	1 420 (2,7%)	24 760 (54,1%)	28 905 (55,3%)	19 745 (43,2%)	21 920 (42,0%)	45 740	52 245
Yukon	580 (2,5%)	620 (2,6%)	20 240 (87,4%)	20 930 (89,1%)	2 325 (10,0%)	1 950 (8,3%)	23 145	23 500
Colombie-Britannique	45 620 (1,7%)	45 845 (1,6%)	2 249 310 (82,0%)	2 366 805 (82,1%)	449 540 (16,4%)	470 725 (16,3%)	2 744 470	2 883 375
Alberta	62 145 (2,8%)	56 245 (2,4%)	1 810 545 (80,9%)	1 946 725 (82,3%)	365 035 (16,3%)	362 860 (15,3%)	2 237 725	2 365 830
Saskatchewan	25 540 (2,6%)	23 720 (2,3%)	770 815 (79,6%)	827 250 (81,9%)	171 955 (17,8%)	158 655 (15,7%)	968 310	1 009 625
Manitoba	52 555 (5,1%)	51 775 (4,9%)	735 920 (71,7%)	780 015 (73,4%)	237 760 (23,2%)	231 220 (21,8%)	1 026 235	1 063 010
Ontario	475 605 (5,5%)	484 265 (5,3%)	6 678 765 (77,4%)	7 097 920 (78,0%)	1 470 735 (17,1%)	1 519 505 (16,7%)	8 625 105	9 101 690
Québec	5 307 015 (82,4%)	5 408 980 (82,8%)	706 110 (11,0%)	678 785 (10,4%)	425 280 (6,6%)	444 695 (6,8%)	6 438 405	6 532 460
Nouveau-Brunswick	234 030 (33,6%)	237 570 (33,5%)	453 310 (65,1%)	462 935 (65,3%)	9 060 (1,3%)	8 940 (1,3%)	696 400	709 445
Nouvelle-Écosse	36 025 (4,3%)	35 810 (4,1%)	793 170 (93,6%)	818 905 (93,8%)	18 250 (2,2%)	18 450 (2,1%)	847 445	873 165
Île-du-Prince Édouard	6 085 (5,0%)	5 920 (4,7%)	115 045 (93,9%)	119 175 (94,1%)	1 380 (1,1%)	1 555 (1,2%)	122 510	126 650
Terre-Neuve	2 655 (0,5%)	2 670 (0,5%)	560 465 (98,7%)	561 300 (98,8%)	4 560 (0,8%)	4 375 (0,8%)	567 680	568 345
Canada	6 249 095 (25,7%)	6 354 840 (25,1%)	14 918 460 (61,3%)	15 709 650 (62,1%)	3 175 625 (13,0%)	3 244 850 (12,8%)	24 343 180	25 309 340

[a] Incluant les réponses multiples : certains individus ont déclaré avoir plus d'une langue maternelle.

Source : Statistique Canada, 1986, données sommaires.

où les citoyens de langue maternelle française sont concentrés, c'est-à-dire au Québec et dans le nord du Nouveau-Brunswick. De même, dans la région de la Capitale nationale, la population francophone se situe encore autour de 35 p. 100. Mais le tableau I.2 révèle le déclin — en termes relatifs, du moins — des minorités francophones dans presque toutes les autres régions. Par ailleurs, la dénatalité chez les francophones, qui peuvent compter beaucoup moins que les anglophones sur l'immigration, est en passe de devenir une des principales menaces non seulement à l'épanouissement de leur communauté, mais aussi à l'équilibre linguistique canadien.

En chiffres absolus, par ailleurs, les minorités francophones hors du Québec ont augmenté de 4 000 personnes depuis 1981, tandis que les Anglo-Québécois ont subi des pertes : leur nombre a diminué de plus de 27 000. Il ne s'agit d'ailleurs pas d'un phénomène récent : en 1941 — première année pour laquelle on dispose de données comparables —, la population de langue maternelle anglaise constituait 14 p. 100 du total provincial ; elle n'en constituait plus qu'environ 10 p. 100 en 1986. Cette tendance à la polarisation territoriale en fonction de la langue cache peut-être des réalités plus encourageantes, mais elle met également en valeur l'importance fondamentale de l'engagement formulé au lac Meech de collaborer à la protection de la dualité linguistique à l'échelle du pays.

Compléter les données du recensement

Certains estiment depuis longtemps que nous ne devrions pas limiter notre analyse de la démographie des langues officielles aux seuls renseignements fournis par le recensement. Le Comité interministériel des statistiques linguistiques, qui a commencé à se réunir en 1986, en est venu à la même conclusion. Ce Comité, qui regroupe des représentants d'organismes fédéraux ayant besoin, pour accomplir leur travail, de comprendre la composition linguistique et culturelle du Canada, n'a pas tardé à se rendre compte du fait que le recensement ne permet pas une analyse nuancée de la situation des langues officielles — ou autres — du pays, quels que soient l'énoncé des questions ou l'interprétation que l'on fait des réponses. Afin de mieux cerner ces réalités, le Comité a proposé l'intégration à l'Enquête sociale générale de 1986 d'une centaine de questions qui permettront de connaître l'expérience et les aspirations linguistiques d'un échantillon pondéré de quelque 16 500 citoyens. Cette proposition ayant été acceptée, on devrait disposer au printemps 1988 d'une analyse détaillée des résultats.

Le coût des langues officielles

Au cours des ans, les différents gouvernements fédéraux en sont venus peu à peu à comprendre que les coûts de l'égalité du français et de l'anglais risquaient non seulement de se maintenir, mais même de croître. En pratique, cependant, comme en témoigne le tableau I.3, les dépenses réelles encourues à ce titre, en dollars constants, ont diminué de plus de 20 p. 100 depuis huit ans ; en pourcentage du total des dépenses fédérales, cette chute est plus marquée encore.

Tableau 1.3

Dépenses liées aux langues officielles en dollars d'origine et en dollars constants[a], 1979-1980 à 1986-1987 (en milliers de dollars)

	À l'extérieur de la Fonction publique		Dans la Fonction publique		Total	
Exercice financier	Dollars d'origine	Dollars constants	Dollars d'origine	Dollars constants	Dollars d'origine	Dollars constants
1979-1980	196 287	94 807	194 135	93 767	390 422	188 574
1980-1981	202 943	78 742	212 677	82 519	415 620	161 261
1981-1982	210 917	72 977	237 267	82 094	448 184	155 071
1982-1983	210 307	68 560	246 601	80 392	456 908	148 952
1983-1984	217 741	67 718	236 845	73 659	454 586	141 377
1984-1985	241 842	72 311	254 611	76 129	496 453	148 440
1985-1986	253 556	73 652	251 611	72 212	505 167	145 864
1986-1987	257 864	70 913	246 776	67 863	504 640	139 634

[a] Dollars constants de 1970-1971, première année de mise en œuvre de la *Loi sur les langues officielles*.

Source : Rapports annuels des ministères et organismes concernés.

On peut présenter de bien des façons, comme toutes les autres statistiques, celles qui touchent les dépenses. Ainsi, il peut sembler extravagant de payer un demi-milliard de dollars par année, ou 1,3 million par jour, pour les langues officielles dans l'enseignement et le bilinguisme de l'État. Si l'on songe cependant que cela représente 20 $ par année — c'est-à-dire cinq cents par jour — pour chaque citoyen, la situation prend un tout autre aspect. Est-ce vraiment faire preuve de prodigalité dans un grand pays industrialisé dont le quart de la population parle français ?

Les statistiques simplistes ne peuvent suffire à une juste appréciation de notre politique linguistique. Il faut plutôt nous demander si les ressources consacrées par le Canada à assurer le respect entre les collectivités linguistiques sont 1) suffisantes à cette fin et 2) bien réparties. Pour savoir si les ressources sont suffisantes, il est nécessaire d'évaluer les coûts des autres possibilités. A-t-on vraiment raison de soutenir que la fédération canadienne ferait des économies en limitant le bilinguisme au Québec et à la région de la Capitale nationale ? Et quelle serait la durée de vie d'une telle fédération ? Entre le bilinguisme à rabais et les dépenses effrénées, il existe selon nous un juste milieu reposant sur l'allocation réfléchie de fonds à des programmes linguistiques sérieux, c'est-à-dire des programmes dont on a analysé les incidences sociales avec la même rigueur systématique que s'il s'agissait d'un programme du domaine de l'aérospatiale ou de la santé.

Depuis 18 ans, le Canada a appris qu'un régime linguistique — notamment lorsqu'il doit s'harmoniser avec les politiques linguistiques des provinces et d'autres intervenants — ne peut reposer sur l'improvisation politique. Au moment où nous

nous proposons de prendre de nouveaux engagements constitutionnels, juridiques et économiques, il nous faut comprendre que la pire erreur sur le plan financier n'est pas de dépenser l'argent nécessaire à ces entreprises, mais bien de le dépenser sans avoir procédé aux analyses voulues. C'est ce qui risque toujours de se produire au sein du programme des langues officielles, lorsqu'on offre, par exemple, certains documents bilingues à des employés bilingues qui n'en ont pas besoin, ou lorsqu'on s'avère incapable de prévoir le nombre d'enseignants nécessaire pour répondre aux besoins en matière d'enseignement dans la langue minoritaire ou de la langue seconde. Si nous avons eu en 1987 des échanges intéressants avec les autorités fédérales au sujet de l'économie des langues officielles, aucun n'a su nous convaincre que le gouvernement comprenait pleinement la nécessité d'une planification améliorée et élargie.

RECOMMANDATIONS

- **Nous recommandons au Conseil du Trésor de mener régulièrement des études prospectives complètes sur l'interaction des divers programmes de langues officielles et d'analyser en profondeur les choix de programmes possibles qui en découlent.**
- **Nous recommandons que le financement global des programmes de langues officielles soit réexaminé afin de déterminer s'il répond aux objectifs établis — notamment dans le domaine de l'enseignement — et que la répartition des fonds entre les divers programmes soit modifiée au besoin afin de tenir compte de l'évolution linguistique de l'administration fédérale et du Canada dans son ensemble.**
- **Nous recommandons au gouvernement de porter une attention toute particulière à la mise en œuvre des aspects de l'entente Canada-États-Unis sur le libre-échange qui peuvent influer sur le statut et l'utilisation du français et de l'anglais au Canada.**

C-72 : un projet de loi qui promet

À la fin de 1987, la *Loi sur les langues officielles* de 1969 était toujours en vigueur au Canada. Au moment où ces mots paraîtront, cependant, une nouvelle loi l'aura peut-être remplacée ou sera sur le point de le faire. Il y a près de dix ans que se fait sentir la nécessité d'élargir la Loi et d'en préciser le sens. Il était devenu essentiel, en particulier, de la renforcer en y incorporant les principes énoncés dans la *Charte canadienne des droits et libertés* et dans la Résolution parlementaire de 1973, laquelle traitait de la langue de travail et de la pleine participation des deux groupes linguistiques à la Fonction publique. Si l'on considère l'esprit et la lettre des clauses linguistiques de l'accord du lac Meech — qui attend toujours d'être ratifié par plusieurs provinces —, il semble que le moment soit venu d'établir clairement les principes administratifs et juridiques découlant de notre engagement constitutionnel. Il s'agit là d'une tâche difficile, mais au moins le climat actuel de confiance et de réconciliation nationales y est-il propice.

Après d'interminables délais, le gouvernement a déposé en juin dernier un projet de loi exhaustif et progressiste sur les langues officielles du Canada. (On trouvera à l'annexe B un aperçu des principales différences qui existent entre la Loi de 1969 et le projet de loi C-72.) Si l'on en juge aux premières réactions qu'il a suscitées, ce projet jouit manifestement de la faveur générale. Cependant, le fait que le texte n'ait pas passé l'étape de la deuxième lecture avant l'ajournement de la session parlementaire, en fin d'année, a semé le doute chez certains observateurs : on se demande en effet si le gouvernement respectera ses engagements antérieurs dans sa stratégie législative. Nous espérons bien sûr qu'il le fera, mais nous nous inquiétons de la menace que laisseraient planer de nouveaux retards sur le projet de loi. Quoi qu'il en soit, nous supposons pour l'instant que l'esprit en aura été respecté au cours du processus législatif, et même qu'on lui aura apporté des améliorations du point de vue de la forme. Mais que signifie donc cette loi, et qu'offrira-t-elle aux Canadiens ?

Principes généraux

Le projet de loi C-72 comprend un préambule en dix points et un énoncé d'objectifs en trois points. Si ces éléments n'ont pas force exécutoire, ils formulent de façon

vigoureuse la politique linguistique nationale et viennent éclairer la signification que le Parlement nous demande d'attribuer au corps de la loi. L'une des assises de la constitution du Canada est l'égalité *qualitative* du français et de l'anglais, égalité qui doit se manifester par la reconnaissance nationale de leur statut, par leur vitalité au sein de leurs collectivités respectives et, dans la mesure où le permet un système fédéral, par leur emploi général au sein des institutions canadiennes. Sur le plan administratif, on pourrait encore tirer des conclusions très précises de la première phrase du paragraphe 16(1) de la Charte : « Le français et l'anglais sont les langues officielles du Canada. » Chose certaine, si l'on en a jamais douté, le projet de loi établit clairement que l'égalité linguistique est un objectif national de première importance.

Le projet de loi d'une quarantaine de pages ne laisse planer aucun doute : l'objectif de l'égalité est exigeant, et ses conséquences considérables. On y établit trois choses : en premier lieu, aucun secteur de l'administration fédérale n'échappe à la nécessité de l'égalité linguistique ; deuxièmement, pour atteindre cette égalité, on a besoin de programmes exhaustifs et de contrôles efficaces, ainsi que d'une large gamme de mesures de promotion ; enfin, c'est aux tribunaux et au Parlement, en dernier ressort, de dire si la loi atteint réellement son but, qui est d'assurer aux Canadiens de langue française et anglaise — dans la mesure où cela dépend du gouvernement — la même liberté de choix en matière linguistique et la même possibilité d'influer sur l'avenir de leurs enfants à cet égard.

Tout en notant, lors du dépôt du projet de loi en juin 1987, qu'il conviendrait d'en préciser ou d'en renforcer certaines dispositions, nous avions exprimé la satisfaction que nous inspirait l'ensemble : il nous semblait en effet qu'il offrait à tous les intéressés les moyens nécessaires pour corriger les principales faiblesses du programme actuel, c'est-à-dire l'absence d'une véritable force motrice, de direction, de coordination, de moyens administratifs précis et, en dernier ressort, de recours juridiques vraiment efficaces. Or une force motrice se fait sentir non seulement dans le préambule solennel du projet de loi, mais aussi dans un engagement précis : celui de collaborer avec les provinces, le secteur privé et les autres intéressés afin d'assurer l'essor des minorités de langue officielle, et de promouvoir, de toutes les façons possibles, à la fois le français et l'anglais. Il s'agit là d'une innovation des plus stimulantes : la Loi affirme que dans les domaines essentiels à l'unité nationale, la fédération canadienne exige le concours actif de tous les ordres de gouvernement et de toutes les institutions du pays.

On s'est également employé — en matière de direction, de coordination et de moyens administratifs — à expliciter les responsabilités de chacun : le Parlement, le gouvernement, le Conseil du Trésor, le Secrétariat d'État, le Commissaire, les tribunaux, bref, l'ensemble des organismes fédéraux. S'il reste au gouverneur en conseil à formuler, après l'adoption de la Loi, des règlements qui en préciseront les modalités, le partage des tâches est d'ores et déjà parfaitement défini.

Il est plus difficile d'établir dans un texte législatif l'obligation de rendre des comptes ou l'efficacité des recours juridiques. Le projet de loi s'efforce néanmoins

d'intégrer ces éléments au nouveau système : les ministres et les gestionnaires, le Parlement et le Commissaire, la Cour fédérale ainsi que les plaignants se voient ainsi attribuer des rôles bien précis au sein d'un ensemble cohérent. De plus, on insiste sur une tâche trop souvent négligée par le passé, celle de voir à ce que tous les Canadiens comprennent et exercent pleinement leurs droits linguistiques. L'administration doit être dynamique, souple et responsable, et le Commissaire doit mettre toute son énergie à repérer les abus qui donnent naissance aux plaintes. Mais surtout, le projet de loi offre la possibilité de libérer une force sociale considérable en ce qu'il propose — par une meilleure définition des droits, des obligations et des démarches à entreprendre pour résoudre les conflits — des issues aux impasses bureaucratiques.

Ce qui a le plus souvent paralysé le programme des langues officielles, c'est sans doute l'ennuyeux rabâchage qu'il a suscité. Si aucun texte juridique ne pourra venir à bout des problèmes inhérents au fonctionnarisme, du moins le projet de loi C-72 offre-t-il la chance de mettre fin aux abus les plus criants — dont la plupart découlent tout simplement l'incapacité de prendre au sérieux les droits linguistiques —, tout en respectant les limites de la nature humaine et des deniers publics. Le projet de loi vise en effet à assurer aux Canadiens d'expression française et anglaise, dans toute la mesure du possible, la chance de communiquer avec le gouvernement fédéral dans leur propre langue, et celle d'obtenir réparation s'ils s'estiment lésés à cet égard.

Le Commissaire et son équipe ont dû, jusqu'ici, assumer l'essentiel de cette fonction d'arbitrage, de même que celle nettement plus agréable d'entretenir la flamme de la réforme. La nouvelle Loi viendra renforcer ces deux éléments, mais elle insiste avant tout sur le rôle de médiateur du Commissaire : il lui revient d'expliquer à la clientèle et aux organismes les besoins et les difficultés des uns et des autres, et de faire appel au Parlement, au gouvernement ou à la Cour fédérale lorsqu'il apparaît qu'un organisme fédéral ne se conforme pas aux exigences du Parlement. Les interventions du Commissaire à titre d'ombudsman seront nécessairement plus efficaces du fait qu'il devra respecter des échéances plus rigoureuses, qu'il sera appuyé par le Comité mixte permanent, qu'il pourra faire rapport au gouverneur en conseil en cas d'impasse, et qu'il aura la possibilité, lorsque cela paraîtra opportun, de se joindre aux plaignants pour demander justice à la Cour fédérale. Si quelques-unes de ces possibilités étaient déjà implicites dans la Loi de 1969, leur renforcement par la nouvelle loi ne pourra qu'être salutaire. Depuis 1982, la *Charte canadienne des droits et libertés* reconnaît aux Canadiens le droit de recourir aux tribunaux pour faire respecter leurs droits linguistiques ; un nouveau choix s'offrira désormais à eux, et le Commissaire pourra se fonder sur ses propres enquêtes pour appuyer leurs revendications.

Perspectives de progrès

Au moment où nous écrivons ces lignes, la nouvelle *Loi sur les langues officielles* n'est encore qu'un projet : la nouvelle énergie qu'elle dégage sur le plan des

grandes orientations et de l'administration reste à canaliser. Quelles sont donc les perspectives d'amélioration qu'elle nous propose ?

Le service au public

Comme le confirme le présent rapport, la Loi de 1969 a considérablement élargi l'offre de services dans les deux langues officielles : ceux-ci, en effet, sont aujourd'hui assez répandus. Mais on est encore loin de l'égalité sur le plan qualitatif ; pis encore, les services actuels ne sont pas de nature à inciter les minorités vivant à l'extérieur de la « zone bilingue » (qui s'étend du nord de l'Ontario au Nouveau-Brunswick) à se prévaloir de leurs droits constitutionnels. C'est pourquoi, aux termes de la nouvelle Loi, on ne se contenterait pas d'améliorer globalement la qualité du service ; on assurerait enfin une « offre active » de service dans la langue de la minorité partout où existe une « demande importante », au sens le plus généreux du terme, et on obligerait les organismes fédéraux à faire connaître l'existence de ce service. Si l'on atteint ce but d'ici quelques années — et si les communautés de langue minoritaire recourent de façon soutenue aux services en question — la Loi aura fait ses preuves dans le secteur clé de l'égalité linguistique.

La langue de travail

Le projet de loi C-72 donne également aux employés fédéraux, pour la première fois, le droit incontesté de choisir le français ou l'anglais comme moyen de communication au sein de l'appareil fédéral. Cette forme de l'égalité linguistique était déjà implicite dans la Loi de 1969 et constituait un élément fondamental de la politique linguistique énoncée par la Résolution parlementaire de 1973 ; pourtant, elle n'est jamais tout à fait entrée dans les mœurs administratives de la Fonction publique. Ce droit serait accordé en toute équité aux deux groupes linguistiques, dans les limites définies par les règlements du gouverneur en conseil, et il incomberait au Commissariat et à la Cour fédérale de le faire respecter. Comme il apparaîtra dans le chapitre consacré au régime actuel de la langue de travail, la plupart des organismes fédéraux auront du pain sur la planche en ce domaine. Plus que pour tout autre aspect du programme, la difficulté tient aux attitudes profondément enracinées des particuliers et des organismes. Une nouvelle Loi pourrait renforcer l'exercice réel de ce droit en stimulant la création d'un climat de travail approprié, et en faisant en sorte que les employés bilingues utilisent pleinement leurs capacités. Elle ne saurait toutefois obliger les francophones ou les anglophones à se prévaloir de leurs droits, c'est-à-dire à surmonter les difficultés que cela entraîne à la fois pour eux et pour leurs collègues : à eux, donc, de profiter des occasions offertes sous peine de les voir disparaître.

La pleine participation

La politique visant à encourager les Canadiens des deux groupes linguistiques à assumer une part appropriée du travail de l'administration fédérale — compte tenu de leur poids démographique au sein de la société canadienne — a été une réussite à bien des égards. L'organisme fédéral typique, si on le compare à la Fonction publique du début des années 60, paraît aujourd'hui nettement moins dominé par les anglophones et par les intérêts anglophones. Cette évolution ne s'est pourtant pas faite sans déchirures, et nous ne pouvons nous satisfaire entièrement de l'actuel partage des tâches. Le projet de loi C-72 consacre le

principe de la « pleine participation » des deux collectivités, formulé de façon explicite il y a presque quinze ans par la Résolution parlementaire, et en fait un engagement du gouvernement envers les citoyens francophones et anglophones. C'est ainsi qu'on garantit aux deux groupes, dans le respect du principe du mérite, le même accès à la Fonction publique et les mêmes possibilités d'avancement. La Loi enjoindrait également aux organismes fédéraux de rechercher l'équilibre optimal, à tous les échelons, entre les employés de langue française et anglaise. Il convient de souligner une fois de plus que cet objectif n'est pas nouveau : on ne fait que réaffirmer, de façon plus explicite, une politique fédérale en vigueur depuis presque aussi longtemps que la Loi elle-même. Il s'agit néanmoins de l'une des dispositions les plus délicates de la nouvelle loi : lorsque les intérêts personnels sont en jeu, il n'est certes pas facile d'apprécier la légitimité des exigences d'autrui.

La pleine participation est avant tout une question d'équilibre. Le projet de loi, sauf erreur, indique que le fait d'avoir le français ou l'anglais comme langue maternelle ne doit pas constituer un mérite au moment de l'embauche, mais que lorsqu'il s'agit d'établir des objectifs en matière de participation globale, on pourra tenir compte des proportions de francophones et d'anglophones dans l'ensemble de la société canadienne. Ce principe peut paraître obscur, mais il est tout à fait intelligible sur le plan de la pratique administrative. Les organismes fédéraux doivent tendre vers le respect de normes collectives, c'est-à-dire qu'il leur faut, tout en tenant compte de facteurs tels que leur mandat particulier et la répartition géographique de leur effectif, tenter de refléter la composition linguistique de la population canadienne. Bref, si l'on se donne la peine de rechercher de façon systématique des candidats qualifiés provenant des deux groupes linguistiques, il s'avère tout à fait réalisable — et équitable — de rectifier graduellement l'équilibre numérique, sans pour autant faire preuve de discrimination envers les personnes compétentes de l'une ou de l'autre collectivité.

La promotion du français et de l'anglais

Le projet de loi C-72 ne se contente pas d'établir les principes fondamentaux de l'équité linguistique au sein de l'administration fédérale. Il traduit sur le plan juridique le principe constitutionnel consacrant le français et l'anglais langues officielles du Canada, et exprime l'intention du gouvernement de prendre tous les moyens pour inciter les autres organismes et les particuliers à promouvoir activement l'égalité linguistique. Tel a toujours été, du reste, le but explicite des programmes de promotion administrés par le Secrétariat d'État depuis 1970. Ceux-ci comprennent un appui direct aux minorités de langue officielle, des ententes avec les provinces en vue de favoriser le meilleur enseignement possible dans la langue de la minorité et de la langue seconde, et un appui aux syndicats, au secteur privé et aux associations volontaires. À cet égard, la nouvelle loi pourrait inciter à une relance — du point de vue de l'organisation et, espérons-le, des ressources financières — de ces programmes dont la réussite, en un sens, ne fait pas de doute : non pas qu'ils aient atteint tous leurs objectifs fondamentaux, loin de là, mais ils nous ont permis de croire que ces objectifs pouvaient être atteints, incitant ainsi de plus en plus d'intervenants à l'extérieur du gouvernement fédéral à se joindre, de leur propre gré, à l'édification du bilinguisme institutionnel.

De ce point de vue, s'il est heureux qu'un texte de loi vienne consacrer la légitimité de nos espoirs grandissants, cela n'est pas sans causer certaines difficultés. L'élargissement de l'égalité du français et de l'anglais, même s'il est implicite dans la Constitution, exigera beaucoup de bonne volonté de la part de tous les intéressés, et peut-être encore plus la capacité de comprendre et d'accepter un réseau complexe de priorités. Nous sommes à une époque où les appels aux ressources publiques et privées se multiplient, alors même que ces ressources connaissent une relative diminution. Comme nous l'avons dit, étant donné la portée et l'importance nationale de cet effort de promotion, il nous semblerait tout à fait justifiable d'y consacrer chaque année plus de vingt dollars par habitant. Ce qui ne signifie pas pour autant qu'on puisse se permettre de dilapider les fonds publics ou de les employer sans discernement.

Les améliorations possibles

Les trois partis politiques fédéraux, tout comme les minorités de langue officielle et les médias, ont généralement fait bon accueil au projet de loi. Chacun avait son idée quant aux améliorations souhaitables, mais, au cours des derniers mois de 1987, la plupart des intéressés estimaient que le projet de loi offrait un cadre tout à fait acceptable à l'avenir de la réforme linguistique au Canada. On s'entendait pour dire qu'après y avoir apporté quelques retouches, il convenait, dans l'intérêt public, de l'adopter dans les plus brefs délais afin de pouvoir se consacrer à l'entreprise plus discrète, mais tout aussi importante, de la mise en œuvre. Quant à nous, nous avons exprimé des réticences de trois ordres. Nous souhaitons, en premier lieu, que les critères administratifs adoptés soient aussi clairs que possible ; en deuxième lieu, que les pouvoirs conférés au Commissaire lui garantissent, en pratique, toute l'efficacité voulue par le législateur ; en dernier lieu, que l'on reconsidère certains amendements valables rejetés dans le passé. Il conviendrait par exemple de s'assurer, si l'on décide de confier au secteur privé, aux provinces ou aux municipalités des organismes fédéraux tels qu'Air Canada, la Société canadienne des postes et certains aéroports, que les droits des Canadiens en matière de langues officielles soient convenablement protégés.

L'adoption du projet de loi C-72 constituerait pour le Canada un geste tonique : l'expression de notre confiance en l'équité de notre société, la manifestation de notre volonté d'être à la hauteur de nos engagements. En fixant de nouveaux objectifs, la Loi exigera des particuliers et des organismes de nouveaux efforts, et elle témoignera de notre certitude qu'il convient, pour le bien collectif, de poursuivre activement l'instauration d'un régime linguistique véritablement juste.

Les droits linguistiques : la Cour suprême a la parole

De la présence de deux communautés de langue officielle, réparties asymétriquement sur le territoire national, découlent certaines règles constitutionnelles et législatives concernant le statut de ces deux langues et les droits linguistiques des personnes qui les parlent. Ces règles s'insèrent à leur tour dans un cadre institutionnel qui se doit de refléter les aspirations de ces deux communautés linguistiques. Aux personnes qui les composent, il doit garantir que leur langue fera l'objet d'un traitement juste et équitable sur l'ensemble du territoire, compte tenu de la répartition géographique de chaque communauté. Ce cadre institutionnel est lui-même placé sous le signe de l'égalité, qu'il s'agisse du statut de chacune de ces langues ou de celui de leurs locuteurs.

Les tribunaux ont indéniablement un rôle majeur à jouer dans l'évolution du régime linguistique canadien, même si l'on peut dire que ce rôle est toujours en voie de définition. La magistrature a d'ailleurs fait preuve de beaucoup de retenue dans ses décisions. Il ne faut sans doute pas s'en étonner car sa tâche est délicate, et que « lire le droit » avec objectivité et concilier l'interprétation de textes parfois anciens avec des dispositions juridiques et constitutionnelles récentes n'est manifestement pas facile. Aussi, l'interprétation des droits linguistiques, notamment dans le domaine judiciaire et en matière d'enseignement dans la langue minoritaire, a-t-elle procédé lentement, voire péniblement. On a cependant pu voir les éléments d'une doctrine prendre corps peu à peu. En outre, le plus haut tribunal du pays sera appelé en 1988 à se prononcer dans certains dossiers, par exemple dans l'affaire Mercure (Saskatchewan) et dans la question de la langue d'affichage au Québec. Il en sera de même au cours des prochaines années alors que les décisions de la Cour suprême viendront clarifier divers aspects fondamentaux de notre droit en matière de langue.

Depuis la proclamation de la *Charte canadienne des droits et libertés* en 1982, la Cour suprême du Canada a rendu plusieurs décisions importantes sur le statut des langues officielles, qui lui ont donné l'occasion d'élaborer de nouvelles doctrines. Celles-ci s'avèrent déjà déterminantes pour l'avenir du droit des langues au Canada. Nous examinerons dans ce chapitre quelques décisions d'intérêt national rendues cette année par des tribunaux d'un niveau moins élevé, mais

qui ont été ou pourraient être portées en Cour suprême. Nous les avons regroupées sous deux rubriques : 1) les droits linguistiques en matière de justice pénale ; et 2) les droits à l'instruction dans la langue de la minorité. En guise de conclusion, nous traiterons rapidement de certaines affaires en cours qui nous paraissent de première importance ainsi que des réalisations du Programme d'aide à la contestation judiciaire.

Nous parlerons à cette occasion du rôle que la Cour suprême du Canada pourrait être appelée à jouer en vue d'assurer la cohérence et la symétrie du système contre une tendance, chez les tribunaux inférieurs, à fragmenter leur approche. Ces derniers auraient parfois négligé, voire ignoré, les antécédents historiques des règles qu'ils sont appelés à interpréter, alors qu'un examen approfondi de leurs origines historiques aurait permis d'en clarifier la teneur.

On se rappellera qu'en 1985, la Cour suprême a statué dans le renvoi fédéral sur la portée des articles 133 de la *Loi constitutionnelle de 1867* et 23 de la *Loi de 1870 sur le Manitoba* que les prescriptions relatives au bilinguisme parlementaire, législatif et judiciaire fédéral, québécois et manitobain avaient bien un caractère impératif et non simplement directif comme l'avaient jusque-là plusieurs tribunaux manitobains. Appliquant l'adage : « Que justice soit faite, le ciel dût-il nous tomber sur la tête ! », la Cour suprême décidait à l'unanimité que toutes les lois de l'Assemblée législative du Manitoba publiées uniquement en anglais étaient invalides. Elle décrétait cependant que les lois en vigueur seraient tenues pour valides et opérantes jusqu'à l'expiration d'un délai pour les traduire. En 1986, le même tribunal élaborait dans les affaires Bilodeau (Manitoba), MacDonald (Québec) et Société des Acadiens du Nouveau-Brunswick, de nouvelles doctrines qu'on a commencé à invoquer dans des affaires subséquentes.

Parmi les questions portées à l'attention des tribunaux cette année, certaines soulevaient des points de droit semblables, dont l'origine est antérieure à la Confédération ou qui remontent aux toutes premières années du régime fédératif. D'autres litiges portaient sur des dispositions constitutionnelles ou législatives récentes. Dans un cas comme dans l'autre, si les juges ont encore une fois eu du mal à préciser la portée d'un droit linguistique particulier, ce fut souvent à cause du caractère plutôt limité de leur approche. Cela dit, on ne saurait passer sous silence le fait qu'au Canada, en plus de refléter des réalités sociales ou de traduire des accommodements politiques, les droits linguistiques reposent dans une large mesure sur des droits historiques sanctionnés par des lois. Or celles-ci sont dotées de caractéristiques qui se prêtent à des méthodes d'analyses particulières, parfois assez différentes les unes des autres, selon qu'il s'agit de lois anciennes, comme la *Loi des territoires du Nord-Ouest* de 1891, ou de lois nouvelles, comme la *Charte canadienne des droits et libertés* de 1982.

Les droits linguistiques et la justice pénale

Nous retenons ici trois arrêts : d'abord une décision de la Cour d'appel de la Saskatchewan dans un renvoi provincial sur les incidences de l'article 110 de

la *Loi des territoires du Nord-Ouest* sur l'administration de la justice pénale dans cette province ; ensuite une décision de la Cour d'appel de l'Alberta dans l'affaire Paquette, statuant sur la possibilité pour un accusé d'invoquer l'article 15 de la Charte constitutionnelle sur les droits à l'égalité pour subir un procès devant un juge ou un juge et un jury qui puissent entendre la cause dans sa langue ; enfin, une décision sur ce même point de la Cour d'appel de Terre-Neuve dans l'affaire Ringuette.

L'article 110 de la Loi des territoires du Nord-Ouest de 1891 et la Saskatchewan

En 1985, la Cour d'appel de la Saskatchewan avait statué dans deux affaires pénales, celles de Mercure et de Tremblay, que l'article 110 de la *Loi des territoires du Nord-Ouest* qui régissait l'emploi des langues dans les anciens territoires avait été reconduit en Saskatchewan lors de la création de la province en 1905. Ce jugement ne précisait pas toute la portée de cet article. C'est pourquoi le gouvernement provincial avait soumis par renvoi plusieurs questions à la Cour d'appel. Dans son avis consultatif, cette Cour a confirmé à l'unanimité en juillet que la *Loi sur la Saskatchewan* de 1905 reconduisait bel et bien l'article 110. Cet article continue donc d'être en vigueur devant les tribunaux de juridiction criminelle de la Saskatchewan. En premier lieu, il donne à un accusé le droit de s'adresser à la cour et d'examiner les témoins en français. Ce droit est reconnu indépendamment de la capacité de l'intéressé de parler anglais ; et qui plus est, il s'étend aux procédures écrites. Par ailleurs, le tout reste sans préjudice du droit de la Couronne d'utiliser l'anglais. En bref, le droit d'employer les deux langues devant les tribunaux de juridiction criminelle en Saskatchewan serait le même qu'au Québec : tout intervenant dispose du droit d'utiliser la langue officielle de son choix. Ainsi donc, du moins à cet égard, le français est placé sur un pied d'égalité avec l'anglais.

Par contre, il ne serait pas requis des juges, des jurés et des officiers de justice qu'ils parlent ou comprennent le français. Ce n'est pas en vertu de l'article 110, nous dit la Cour, mais du droit d'un accusé à un procès équitable en *common law*, que la loi impose au gouvernement l'obligation d'assurer que l'accusé puisse comprendre ce qui se passe en cour, et qu'il soit lui-même compris. Et la Cour d'appel d'ajouter : « que ce soit par le biais de la traduction simultanée ou autrement ». Donc, sur ce point, les droits de l'accusé francophone seraient en réalité les mêmes que ceux de toute autre personne au Canada parlant une autre langue que l'anglais. Le français dans les témoignages oraux se trouve ainsi placé sur le même pied que toute autre langue.

Une majorité du Banc soutient aussi que les droits d'un accusé francophone à l'égalité devant la loi, selon l'article 15 de la Charte ont été violés du fait que la Partie XIV(1) du *Code criminel* — portant sur le droit d'un accusé d'être jugé par un juge ou un juge et un jury qui parlent sa langue officielle d'élection — a été proclamée en vigueur dans certaines provinces et territoires mais non dans d'autres, dont la Saskatchewan. Il ne fait aucun doute à la majorité des juges que cette situation crée une inégalité « entre un accusé francophone en Saskatchewan et un accusé francophone dans d'autres province » et que

cette inégalité constitue une violation de son droit à l'égalité devant la loi. Notons en passant que la Saskatchewan a adhéré en avril (après l'audition du renvoi) à la Partie XIV(1) du *Code criminel*, et qu'un procès a eu lieu en juin à Saskatoon devant un juge et douze jurés bilingues.

L'affaire Paquette en Alberta

En 1985, la Cour du Banc de la reine avait également statué dans l'affaire Paquette que l'article 110 de la *Loi des territoires du Nord-Ouest* était partie intégrante du droit de l'Alberta lors de la création de cette province en 1905 et qu'il n'avait jamais été abrogé. En 1986, le même tribunal avait par ailleurs statué que l'article 15 de la Charte sur les droits à l'égalité pouvait fonder le droit d'un accusé d'être entendu par un juge ou par un juge et un jury dans sa langue officielle d'élection.

En septembre, la Cour d'appel de l'Alberta confirmait donc partiellement, par un jugement majoritaire, la décision rendue en 1985 qui reconnaissait que l'article 110 de la *Loi des territoires du Nord-Ouest* avait été reconduit dans cette province en 1905, et qu'il restait toujours en vigueur pour ce qui est du droit pénal de cette province. L'accusé peut donc y employer le français ou l'anglais devant un tribunal de juridiction criminelle.

Par contre, la Cour d'appel n'a pas retenu certaines conclusions du juge de première instance, en s'appuyant pour les écarter sur le jugement majoritaire de la Cour suprême du Canada dans l'affaire MacDonald en 1986. Il s'agit, on s'en souviendra, de cette partie de l'article 133 de la *Loi constitutionnelle de 1867* qui confirme le droit de la Couronne de choisir elle aussi en tant que « personne » la langue de ses interventions. C'est ainsi que la Cour d'appel décrétait que le droit d'employer le français devant le tribunal ne comprend pas celui d'être compris directement par ce dernier !

Par la suite, en novembre, le même tribunal disposait majoritairement de la deuxième partie du jugement rendu en 1985 par la Cour du Banc de la reine selon lequel le paragraphe 15(1)de la Charte peut être invoqué pour permettre à un accusé de subir son procès devant un juge ou un juge et un jury qui parlent le français, même si la Partie XIV(1) du *Code criminel* qui traite de la question n'est pas en vigueur en Alberta. La Cour d'appel rejette majoritairement cette conclusion que l'article 15 de la Charte puisse fonder ce droit, vu que la Partie XIV(1) du *Code criminel* n'a pas été proclamée en vigueur en Alberta. Mais la Cour ne revient pas — et elle tient à le préciser — sur sa décision antérieure de septembre reconnaissant que l'article 110 de la *Loi des territoires du Nord-Ouest* permet à l'accusé d'utiliser le français ou l'anglais dans une cour de juridiction criminelle.

L'affaire Ringuette à Terre-Neuve

William Ringuette avait invoqué à son tour, mais en vain, l'article 15 de la Charte pour subir son enquête préliminaire devant un juge et son procès devant un juge et un jury qui parlent sa langue, en l'occurrence le français.

Trois juges de la Cour suprême du Canada refusaient le 17 septembre d'autoriser l'appel dans cette cause, sans motiver leur décision. Sans doute cette affaire ne présentait pas à leurs yeux un intérêt juridique suffisant sur le plan national. Il se peut aussi qu'ils aient été d'accord avec les motifs énoncés par la Cour suprême de Terre-Neuve pour refuser de renverser la décision du juge de première instance qui avait lui aussi rejeté la même requête. Quels étaient donc ces motifs ?

On sait que la Partie XIV(1) du *Code criminel* n'a pas encore été proclamée en vigueur à Terre-Neuve. La Cour suprême de Terre-Neuve et le tribunal de première instance n'avaient pas retenu la prétention de Ringuette de s'appuyer dans sa requête sur l'article 15 de la Charte. Dans les circonstances particulières de Terre-Neuve, on ne saurait selon ces juges prétendre que le fait pour Ottawa de ne pas avoir mis cette partie du *Code criminel* en vigueur dans cette province impose une limite déraisonnable aux droits fondamentaux du prévenu. La Cour d'appel écarte aussi les décisions antérieures de la Saskatchewan (l'affaire Tremblay) et de l'Alberta (l'affaire Paquette), en rappelant que ces arrêts devaient aussi tenir compte de l'article 110 de la *Loi des territoires du Nord-Ouest*. La Cour précise que de toute façon la situation de fait est différente dans ces provinces, où il serait plus facile qu'à Terre-Neuve de trouver des officiers de justice, des juges, des avocats et des jurés connaissant le français. Ces deux arrêts ne sauraient donc constituer un précédent pour les tribunaux terre-neuviens.

La Cour d'appel de Terre-Neuve estime, par ailleurs, que l'égalité devant la loi n'est pas synonyme d'universalité d'application des lois, et que le fait de ne pas avoir proclamé en vigueur dans la province cette partie du *Code criminel* ne constitue pas une omission discriminatoire. À l'instar de la Cour suprême du Canada dans les arrêts MacDonald (Québec) et Société des Acadiens du Nouveau-Brunswick de 1986, elle estime devoir faire preuve de plus de retenue dans l'interprétation des dispositions législatives relatives aux « droits linguistiques », que dans l'interprétation de celles relatives aux « garanties juridiques ».

Le ministre fédéral de la Justice a poursuivi en 1987 le processus déjà engagé avec les provinces en vue de la proclamation, à travers le pays, de la Partie XIV(1) du *Code criminel* sur la langue des procès. Les travaux des procureurs généraux et des ministres de la Justice ont permis, en septembre dernier, l'entrée en vigueur de la Partie XIV(1) en Saskatchewan, et de ses dispositions concernant les infractions visées par la procédure sommaire en Nouvelle-Écosse et dans l'Île-du-Prince-Édouard. Ces provinces rejoignaient ainsi l'Ontario, le Nouveau-Brunswick, le Manitoba, le Yukon ainsi que les Territoires du Nord-Ouest, où le droit d'un accusé d'être jugé dans la langue officielle de son choix est déjà reconnu depuis plusieurs années. (Au Québec, c'est l'article 555 du *Code criminel* sur les jurys mixtes qui est en vigueur.) Le Secrétaire d'État, grâce à son Programme de promotion des langues officielles, soutient financièrement les programmes de formation linguistique ainsi que des services de traduction et d'interprétation pour faciliter l'application de cette partie du *Code criminel*.

Précisons aussi que le projet de loi C-72 sur les langues officielles prévoit l'entrée en vigueur le 1er janvier 1990, et partout au Canada, des dispositions du *Code criminel* établissant le droit de tout accusé de comparaître devant un juge ou un juge et un jury qui parlent la langue officielle du prévenu, tant en ce qui touche les infractions punissables par voie de procédure sommaire que les actes criminels.

Les droits à l'instruction dans la langue de la minorité

Les efforts de nos minorités nationales en vue d'obtenir une reconnaissance intégrale et réelle de leurs droits constitutionnels en matière d'éducation ont donné lieu à plusieurs contestations judiciaires depuis cinq ans. Nous retenons ici deux causes qui ont fait l'objet d'un décision des tribunaux en 1987.

L'affaire de l'école Georges-et-Julia-Bugnet (Alberta)

Les parents francophones des élèves de l'école Georges-et-Julia-Bugnet d'Edmonton avaient demandé à la Cour du Banc de la reine de reconnaître le droit de leurs enfants de recevoir un enseignement dans leur langue, à même les fonds publics et dans un établissement dirigé par un conseil scolaire francophone. Le tribunal de première instance s'est dit d'accord sur les principes, sans toutefois se prononcer sur leur application concrète.

Dans un jugement unanime, en août, la Cour d'appel albertaine entérinait à toutes fins utiles le jugement de première instance pour ce qui est des principes, mais rejetait la plupart des demandes touchant les faits. Elle s'écarte toutefois de certaines des conclusions du juge de première instance en précisant notamment que c'est à la province qu'il revient de choisir les moyens institutionnels de mettre en œuvre les droits garantis à l'article 23 « partout où le nombre des enfants est suffisant ». Or, en l'occurrence, les requérants n'ont pas réussi à faire la preuve que le nombre d'élèves francophones à Edmonton pouvait justifier l'établissement, à un coût raisonnable, d'un mécanisme d'autogestion pour ses écoles élémentaires et secondaires.

En d'autres termes, les appelants n'ont pas réussi à convaincre le tribunal que l'effet combiné des articles 15 (droits à l'égalité) et 23 (droits à l'instruction) de la Charte leur garantissait l'accès à un système distinct d'écoles françaises. En particulier, ils n'ont pas su prouver tous les faits requis, ni impliquer dans le litige les conseils scolaires, ni même persuader la Cour d'appliquer les redressements demandés.

Ces redressements, quels étaient-ils ? D'abord invalider les dispositions de la *Loi scolaire* qui ne donnent pas expressément suite à l'article 23, et ensuite imaginer pour la législature albertaine une loi modèle qui préciserait les droits qu'a la minorité d'établir et de contrôler ses propres institutions scolaires. Pour la Cour d'appel, le juge de première instance était fondé de critiquer certaines dispositions de la *Loi scolaire*, mais il eut raison de refuser de les déclarer inopérantes. En effet, l'article 23 ne dit mot des arrangements institutionnels, qui sont de ce fait laissés à l'initiative des provinces. L'article 23 propose des « droits à l'instruction » partout au Canada, mais ces « droits » restent assujettis au pouvoir provincial pour ce qui est de leur traduction institutionnelle.

La Cour donne raison au juge de première instance d'avoir estimé que la *Loi scolaire* devrait comporter une disposition plus claire que son libellé actuel. Celle-ci en effet ne fait que permettre aux conseils scolaires d'autoriser l'enseignement en français. Mais cet article étant antérieur à l'entrée en vigueur de la Charte, le tribunal estime qu'on ne doit pas le considérer inopérant, vu qu'il ne vient que compléter et non pas contredire l'article 23.

Pour le tribunal, si la *Loi scolaire* actuelle ne prévoit pas la mise en place d'une option comme l'autogestion, cela découle essentiellement du fait que cette législation avait précédé la Charte. On ne saurait donc l'invalider pour cette raison. Face à une telle évidence, on peut se demander si les points soulevés devant la Cour auraient gagné en pertinence aux yeux du tribunal s'ils avaient comporté plus de précision sur ce point.

La *Loi scolaire* ne prévoit pas non plus de districts scolaires distincts pour les écoles de la minorité. Les juges reconnaissent que ces districts pourraient peut-être améliorer la situation, mais une disposition en ce sens dans la Loi n'est pas requise par la Charte et, comme, par ailleurs, rien dans la *Loi scolaire* ne l'interdit expressément, la disposition contestée demeure valide. Néanmoins, il appartiendra aux législateurs compétents de préciser la teneur de cette disposition en la rendant plus claire, comme le recommandait le jugement initial. En bref et en clair, le tribunal n'est pas du tout persuadé que l'Alberta doive, dans sa situation particulière, retenir l'option d'un district scolaire unique pour la mise en œuvre de l'article 23, comme le préconisaient les requérants. Ceux-ci ont demandé de porter leur cause devant la Cour suprême du Canada, qui a accepté en décembre de les entendre.

Il faut noter par ailleurs que le ministre de l'Éducation de l'Alberta a déposé en juin le projet de loi 59 sur l'éducation, lequel prévoit explicitement l'immersion en français pour les anglophones et l'instruction dans leur langue pour les francophones. Sur ce dernier point cependant, il s'en remet à une réglementation à venir pour ce qui est des modalités d'application.

L'immersion : un droit constitutionnel ?

L'article 23 de la *Charte canadienne des droits et libertés* de 1982 peut-il servir de fondement à une requête formulée par des parents anglophones pour demander à un conseil scolaire d'offrir un programme d'immersion française ?

À Vancouver, en septembre dernier, le juge Patricia M. Proudfoot de la Cour suprême de Colombie-Britannique rejetait la requête de neuf parents, dont huit anglophones, qui voulaient inscrire leurs enfants à un programme d'immersion en français. Ces parents invoquaient à cet effet l'article 23 de la Charte.

Deux principes importants se dégagent de cette décision : premièrement, l'article 23 ne peut être invoqué par les membres de la majorité linguistique puisqu'il a pour but, comme l'indique la rubrique, « les droits à l'instruction dans la langue de la minorité » ; et deuxièmement, même en l'absence d'un fondement législatif,

le fait que la Colombie-Britannique ait mis sur pied, en plus des programmes immersifs pour les anglophones, un programme cadre de français pour les francophones, constitue une façon de mettre en œuvre l'article 23, car ce programme prévoit l'instruction en langue française à l'élémentaire et au secondaire.

Pour le tribunal, on doit interpréter l'article 23 de la Charte dans son ensemble, en se rappelant que cet article n'a pas été adopté dans le vide. En particulier, les dispositions du paragraphe 23(2) concernant l'instruction en français ne sauraient s'interpréter d'une manière isolée et hors contexte. Le titre de cette section de la Charte fait partie de l'article lui-même, et il permet de décider du sens à lui donner. On doit aussi tenir compte du contexte historique et social entourant l'adoption de cette législation et des débats parlementaires qui l'ont précédée.

Pour cette raison, il ne fait aucun doute au tribunal qu'en adoptant cet article, le Parlement avait l'intention d'assurer une protection aux communautés minoritaires de langue officielle dans toutes les provinces du Canada, et que la seule interprétation possible à lui donner est que l'instruction en français signifie l'instruction dans la langue de la minorité. La majorité anglophone ne dispose donc pas du droit d'invoquer cet article pour bénéficier de classes d'immersion, puisque l'article traite d'un programme destiné à la minorité linguistique de langue française en Colombie-Britannique.

Affaires en instance

En 1988, la Cour suprême du Canada sera appelée à rendre plusieurs décisions capitales qui influeront sur le droit en matière de langues au Canada. Mentionnons qu'elle devra statuer notamment sur les droits linguistiques découlant de l'article 110 de la *Loi des territoires du Nord-Ouest* en Saskatchewan (affaire Mercure), sur la nature et l'étendue des droits à l'instruction dans la langue de la minorité que soulève l'affaire de l'école Georges-et-Julia-Bugnet (Alberta), sur la validité de certains articles de la *Charte de la langue française* du Québec (loi 101) relatifs en particulier à la langue d'affichage et aux dérogations législatives de la *Charte canadienne des droits et libertés* de 1982 ainsi que dans diverses autres causes concernant les droits constitutionnellement protégés des écoles et des commissions scolaires confessionnelles du Québec, province qui comporte la plus nombreuse minorité de langue officielle du pays.

Les tribunaux continueront de s'employer à concilier les droits linguistiques qui ont pris racines dans des textes, des coutumes ou des usages anciens avec ceux issus de la Charte de 1982, notamment en matière d'éducation. Mais les noces du barbon et du tendron ne seront sûrement pas célébrées demain. Entre-temps, il appartiendra aux responsables politiques de régler les différends qui mettent en péril le statut de l'une ou de l'autre de nos deux langues officielles et parfois l'existence même de nos collectivités minoritaires. Comme le soulignait en 1986 la Cour suprême du Canada : « Le processus législatif est, à la différence du

processus judiciaire, un processus politique qui se prête particulièrement bien à l'avancement des droits fondés sur un compromis politique. »

Le Programme d'aide à la contestation judiciaire

On ne saurait clore ce chapitre sans souligner l'excellent travail du sous-comité sur les langues officielles du Conseil canadien de développement social. Dirigé à l'origine par M. Victor Goldbloom, il s'est très bien acquitté de son mandat de distribuer les fonds disponibles en vertu du Programme d'aide à la contestation judiciaire du Secrétariat d'État. Le sous-comité a établi dès le départ des critères et des normes objectives, et il a su partager les fonds de façon équitable entre les personnes et les groupes qui ont sollicité son aide.

Dans son dernier rapport annuel, le Conseil canadien de développement social se livre à une réflexion sur les retombées des subventions accordées aux requérants qui contestent certaines situations de fait dans le domaine des langues officielles. Au sujet des droits à l'instruction dans la langue de la minorité, nous avons été particulièrement sensibles au fait que le Conseil ait jugé bon de souligner qu'une interprétation généreuse et libérale de l'article 23 de la *Charte canadienne des droits et libertés* est de mise, compte tenu du contexte historique canadien et vu qu'il établit un véritable code scolaire des minorités de langue officielle au Canada.

Politique et programmes centraux : préparatifs de décollage

Depuis plusieurs années, on laisse entendre aux Canadiens, dans le cadre du discours du Trône, que la révision de la *Loi sur les langues officielles* s'accompagnera d'une gestion plus productive du programme des langues officielles. Or si l'on considère la performance actuelle de l'administration, comme nous l'avons fait remarquer à plusieurs reprises au Parlement et au Comité mixte permanent, cela frise la fausse représentation. Le Comité a d'ailleurs exprimé le même avis dans ses propres rapports. Le gouvernement, quant à lui, a souligné que l'on avait consacré (et que l'on consacrait toujours) des efforts considérables à la formulation d'une nouvelle loi et de règlements efficaces, ainsi qu'à la consultation et à la recherche de consensus nécessaires à une telle entreprise. Ces efforts ont certes été remarquables, et nous rendons hommage une fois de plus aux auteurs de ce texte de loi inspirant. Mais si, depuis deux ans, cette grande œuvre a accaparé les « linguocrates » du gouvernement au point qu'ils n'ont pas réussi à faire fonctionner pleinement les structures actuelles, c'est peut-être qu'ils ne disposaient pas des ressources voulues.

La gestion du programme et les ressources humaines

On trouvera à l'annexe B.1 un relevé des ressources humaines et financières consacrées à la gestion et au contrôle de la politique et des nombreux programmes qui composent l'effort global du gouvernement fédéral en matière de langues officielles. Pour l'instant, nous parlerons plutôt de ceux et celles qui sont en première ligne, que ce soit dans les organismes centraux, dans les services de traduction et de formation, ou dans les quelque 150 organismes fédéraux, petits et grands. Leur nombre global est loin d'être négligeable ; mais si l'on considère l'un ou l'autre des éléments de ce vaste programme, ils apparaissent comme une poignée de combattants chargés de mener la lutte pour l'égalité linguistique. Cela n'aurait guère d'importance si le programme produisait régulièrement des résultats concrets, mais ce n'est pas le cas. Les chiffres en eux-mêmes ne veulent rien dire : c'est la concentration des effectifs et leur mobilisation qui compte. Alors qu'on s'apprête à adopter une nouvelle loi, il semble peu probable, en certains domaines, que les ressources actuelles puissent arriver à en remplir toutes les promesses. Le programme linguistique fédéral englobe de nombreuses tâches, qui comportent toutes

un aspect promotionnel. Or il ne faut pas se leurrer : si, dans l'ensemble, le personnel affecté au programme a peine à maintenir les acquis des dix-huit dernières années, comment pourrait-il miraculeusement multiplier ses efforts de promotion pour relever les défis de la nouvelle loi ?

Revue de l'année

Les organismes centraux

L'orientation et la promotion du programme des langues officielles, pour ce qui est des aspects qui touchent directement l'administration fédérale, ont été confiées à deux organismes centraux[1] : le Secrétariat du Conseil du Trésor — qui, de par son autorité sur le plan financier, agit comme maître d'œuvre et architecte de la politique — et la Commission de la Fonction publique, qui assure de nombreux services et effectue diverses vérifications. Le Secrétariat d'État, pour sa part, s'occupe des services de traduction, en plus de définir et d'administrer les programmes touchant les provinces et les municipalités ainsi que les secteurs privé et volontaire. Ces trois organismes ont participé à l'élaboration de la nouvelle *Loi sur les langues officielles*. Ce qui nous intéresse ici, cependant, c'est d'examiner les mesures qu'ils ont prises en 1987 pour assurer la direction et l'imputabilité qu'exige la présente Loi. **Compte tenu du partage des tâches établi par le projet de loi C-72 parmi les organismes centraux, nous recommandons que le Conseil privé continue, au moins pendant quelques années après son adoption, de veiller à la coordination des programmes linguistiques de ces organismes.**

Le Secrétariat d'État

La partie VII du projet de loi C-72 (« Promotion du français et de l'anglais ») décrit en détail le mandat du Secrétariat d'État qui est de « favoriser l'épanouissement » des minorités de langue officielle et de « promouvoir la pleine reconnaissance et l'usage » des deux langues dans la société canadienne. Il s'agit en fait d'une consécration juridique du rôle qui est dévolu au Ministère depuis 1970. Notons ici que les ressources humaines et financières consacrées à cette entreprise d'envergure en 1987-1988 sont à toutes fins utiles les mêmes qu'il y a trois ans. On prévoit cependant y consacrer 25 millions de dollars de plus au cours des trois prochaines années, ce qui permettra de concrétiser l'engagement du gouvernement à collaborer plus étroitement avec les provinces et les territoires, tandis que ceux-ci s'efforceront de remplir leur promesse du lac Meech et de protéger leurs minorités respectives.

Le Secrétariat d'État, comme les autres organismes centraux, a consacré beaucoup d'efforts à la révision des programmes, à la consultation, aux négociations et à diverses autres activités préparatoires. Ainsi, une entente fédérale-provinciale a été conclue avec le Nouveau-Brunswick en vertu de laquelle le gouvernement fédéral collaborera à la prestation de services dans la langue de la minorité. Parmi les autres réalisations de 1987, signalons un projet d'appui aux radios communautaires diffusant dans la langue de la minorité, la négociation d'un nouveau protocole d'entente quinquennal touchant les langues officielles dans l'enseignement, et la

[1] Bien que les rapports et les recommandations du Commissaire — tout comme ceux du Comité mixte permanent — puissent influencer considérablement la façon dont les ministères et organismes interprètent leurs obligations en vertu de la *Loi sur les langues officielles* et s'en acquittent, ils n'ont pas force exécutoire.

définition de nouveaux moyens pour aider les secteurs privé et volontaire à bilinguiser certains de leurs services. Une fois de plus, cependant, on se demande si le personnel restreint qui a travaillé à définir de nouveaux moyens de promotion suffira à la tâche lorsqu'il s'agira de lancer et de soutenir ces nouvelles initiatives.

Le Secrétariat du Conseil du Trésor

En plus de participer à la rédaction du projet de loi C-72, le Conseil du Trésor s'est employé à mettre au point les règlements et autres instruments de politique qui permettront d'en traduire les généreuses intentions en un code de conduite administrative efficace et pratique. Il semble qu'on en ait établi une version satisfaisante à la fin de 1987, mais c'est au niveau politique, dans le cadre du processus législatif, que se prendra la décision finale à cet égard.

Manifestement convaincu que la nouvelle loi serait adoptée avant la fin de l'année, le Conseil s'est tenu dans l'expectative pendant un bon moment. Il s'est par la suite détrompé et s'est employé, au cours des trois ou quatre derniers mois de l'année, à relancer certains aspects du programme qui en avaient grandement besoin. Ainsi, on a lancé un nouveau symbole qui permet au public de repérer instantanément les bureaux et employés fédéraux capables d'offrir activement des service bilingues. En outre, on publiera un inventaire des points de service bilingues, qui aidera notamment les minorités de langue officielle à adresser leurs demandes aux bons endroits et aux bonnes personnes.

Le Conseil a par ailleurs apporté son concours à diverses associations minoritaires et au Comité organisateur des Jeux olympiques de Calgary afin de s'assurer que des services bilingues soient offerts de la façon la plus efficace possible lors de cet événement. Il a aussi diffusé sur une large échelle du matériel de formation — et notamment une bande vidéo intitulée « La politique dans les faits » — destiné à renseigner les gestionnaires régionaux sur les mesures pratiques qui peuvent être prises pour servir les clients de langue minoritaire.

Sur le front de la langue de travail, le président du Conseil du Trésor a annoncé à la fin de décembre un changement de politique : tous les fonctionnaires appartenant au groupe de la direction et qui occupent des postes bilingues devront atteindre le niveau de connaissance supérieur, soit le niveau C, de leur langue seconde (en lecture et conversation) d'ici 1998. À cet effet, on offrira à ceux qui en ont besoin, de façon prioritaire, une formation linguistique. On encouragera également les ministères et organismes à rehausser graduellement les exigences linguistiques des postes bilingues de gestion supérieure, de façon à ce que les titulaires de ces postes puissent non seulement encourager leurs subordonnés, mais également leur donner l'exemple. Le Conseil a par ailleurs réagi rapidement et favorablement au rapport spécial déposé par le Commissaire sur la participation des anglophones dans la Fonction publique fédérale au Québec. Enfin, comme nous l'avions pressé de le faire, il a créé un nouveau comité de travail chargé de mettre au point des initiatives visant à promouvoir un meilleur équilibre entre le français et l'anglais dans le milieu scientifique.

À la fin de l'année, on s'apprêtait à lancer un nouveau régime d'imputabilité en matière de langues officielles. En vertu de lettres d'entente officielles entre le Conseil et

chacun des ministères et organismes fédéraux, ces derniers devront mettre au point des plans d'action précis dont la réalisation pourra être contrôlée aussi bien par les organismes centraux, le Commissariat et le Parlement que par l'ensemble des Canadiens. On prévoit signer les quinze premières lettres au début de 1988. Entre-temps, la Direction des langues officielles a publié un guide visant à aider les ministères et organismes fédéraux à intégrer des critères linguistiques dans leurs propres systèmes de vérification interne, en plus d'effectuer elle-même des vérifications ou des suivis en matière d'imputabilité au sein de 64 d'entre eux. On a également organisé des ateliers sur les langues officielles auxquels ont participé plus d'une centaine de vérificateurs provenant de 38 organismes fédéraux. (Notons ici que le Conseil du Trésor ne dispose que de cinq agents de vérification : en se fondant principalement sur des rapports administratifs, ceux-ci cherchent surtout à savoir si, sur le plan technique, les lignes de conduite du gouvernement ont été respectées. Les vérifications du Commissariat, par contre, visent à évaluer dans quelle mesure on a atteint les objectifs.)

Bien qu'elles n'aient rien d'extraordinaire en soi, ces initiatives du Conseil du Trésor témoignent d'un nouvel engagement en faveur d'une véritable relance administrative du programme linguistique fédéral. Nous espérons qu'il intensifiera ses efforts lorsque le projet de loi C-72 aura été adopté. Si l'orientation, la surveillance et la production de rapports sont des fonctions importantes des organismes centraux, l'analyse et la planification à long terme le sont également. Il est aussi urgent d'offrir aux ministères et organismes, qui ont parfois du mal à mettre en œuvre la politique des langues officielles, l'expertise dont ils ont besoin.

Nous recommandons au Conseil du Trésor de réévaluer les ressources que lui-même et les autres ministères et organismes fédéraux consacrent à la gestion et à la promotion des langues officielles, afin de déterminer s'il y a lieu de les accroître ou de les réaffecter pour répondre aux nouveaux besoins.

Nous lui recommandons également d'étudier les lettres d'entente soumises par les ministères et organismes afin de déterminer les activités pour lesquelles ces derniers pourraient avoir besoin d'une aide directe de sa Direction des langues officielles.

La Commission de la Fonction publique

Bien que la Commission de la Fonction publique (CFP) n'ait pas autorité en ce qui a trait aux lignes de conduite qui touchent ses domaines de compétence (pleine participation des deux groupes linguistiques, dotation, tests de langue, formation linguistique et professionnelle), elle possède néanmoins une vue d'ensemble de ces divers éléments qui lui donne une certaine influence à cet égard, influence qu'elle pourrait parfois exercer à meilleur escient. Ainsi convient-il non seulement d'observer et de signaler les tendances qui se manifestent en cette matière, mais également d'effectuer des projections et de procéder aux ajustements nécessaires. Malheureusement, pour des raisons plus ou moins obscures, la coordination entre le Conseil du Trésor et la Commission à cet égard ne semble pas aussi bonne qu'elle devrait l'être.

Les organismes centraux ont réussi à s'assurer que des candidats anglophones seront présentés en nombre suffisant aux ministères et organismes fédéraux au Québec.

Ils répondaient ainsi en partie au rapport spécial du Commissaire sur la sous-représentation des anglophones dans cette province. Grâce à ces efforts, la proportion d'anglophones recrutés dans la catégorie des agents est passée de 14,8 à 20 p. 100. La Commission a également mis sur pied un groupe de travail formé de directeurs régionaux venant de dix ministères qui, de concert avec des représentants des associations minoritaires, ont élaboré plusieurs initiatives prometteuses en ce domaine. Nous avons suggéré à la Commission la création d'un groupe semblable afin d'aider à résoudre le problème de la représentation insuffisante des francophones dans certaines régions bilingues de l'Ontario et du Nouveau-Brunswick.

Les problèmes liés à la formation professionnelle sont bien connus : si nombre de fonctionnaires francophones se sentent plus ou moins obligés de suivre des cours en anglais, ce n'est pas parce que le nombre de candidats admissibles est insuffisant pour qu'on puisse offrir ces mêmes cours en français ; c'est que les cours en question ne sont tout simplement pas offerts dans cette langue, que leur programmation est inadéquate, ou encore que l'on doute parfois de leur qualité ou de leur pertinence. Bien des efforts ont été faits ces dernières années pour contrecarrer cette tendance à l'anglicisation des francophones dans le milieu de travail : on a offert davantage de cours en français ; les critères d'admission ont été abaissés et le contrôle de la qualité, accru. Cependant, la Commission n'est responsable directement que d'environ 6 p. 100 de la formation professionnelle ; elle reconnaît qu'il faudrait faire davantage pour sensibiliser les autres organismes fédéraux et faire en sorte qu'ils offrent des occasions plus attrayantes de poursuivre sa formation en français. Il semble que ce soit maintenant au Conseil du Trésor de prendre l'initiative. Nous exhortons les deux organismes à poursuivre leurs efforts, d'autant plus que les dispositions du projet de loi C-72 touchant la langue de travail pourraient amener cette question devant les tribunaux.

Les mécanismes de mise en œuvre de la politique gouvernementale

La capacité bilingue

La gestion de la *Loi sur les langues officielles* au sein de la Fonction publique fédérale vise deux grands objectifs : d'une part, créer un corps de gestionnaires et d'employés bilingues ; d'autre part, fournir aux employés de la documentation et des services internes leur permettant de travailler dans l'une ou l'autre langue. Depuis près de 15 ans, c'est principalement par la désignation de postes bilingues, la définition de leurs exigences et leur dotation que l'on s'est efforcé de créer une main-d'œuvre bilingue efficace, qui soit bien répartie et sensible à ses obligations en vertu de la Loi et de la Constitution. La Fonction publique comme telle[2], qui comptait à peine quelque 15 000 employés bilingues au début des années 70, a au moins quintuplé sa capacité à fonctionner dans les deux langues. Même en tenant compte du fait qu'une partie de cette capacité n'est peut-être qu'un « mirage » statistique, et qu'elle n'est pas nécessairement bien répartie ou bien utilisée, il s'agit là d'une réalisation extraordinaire et, à notre connaissance, inégalée.

[2] La Fonction publique en tant que telle comprend uniquement les ministères et organismes fédéraux qui relèvent de la *Loi sur l'emploi dans la Fonction publique*, et au sujet desquels la Commission fait rapport au Parlement.

Les postes bilingues

En 1987, pour la première fois, le nombre de postes bilingues occupés semble avoir connu une chute importante. Les modifications apportées au Système d'information sur les langues officielles afin d'assurer sa conformité au système financier plus rigoureux du gouvernement y sont sans doute pour quelque chose. On note cependant une certaine amélioration en ce qui touche la proportion de postes exigeant le niveau supérieur de compétence linguistique.

Tableau I.4

Postes bilingues occupés, selon le niveau de compétence exigé, 1986 et 1987

Niveau exigé	1986	1987	Écart (%)
Élémentaire (A)	6 464	5 835	− 9,7
Intermédiaire (B)	49 758	48 250	− 3,0
Supérieur (C)	5 633	6 192	+ 9,9
Autres	2 187	2 388	+ 9,2
TOTAL	**64 042**	**62 665**	**− 2,2**

Source : Système d'information sur les langues officielles.

Personnel bilingue

On s'est rendu compte, par ailleurs, grâce aux nouveaux tests de langue introduits en 1984, que de nombreux titulaires de postes bilingues possédaient une connaissance de leur langue seconde plus grande que ce que l'on croyait. En effet, alors qu'autrefois on cherchait uniquement à savoir si les candidats répondaient aux exigences de leur poste, on mesure aujourd'hui leur compétence dans l'absolu. C'est ainsi qu'on a découvert que la compétence linguistique individuelle était sensiblement plus élevée, globalement, que les exigences des postes bilingues ; par exemple, nombre d'employés occupant un poste qui n'exige que le niveau intermédiaire de connaissance de la langue seconde possèdent en réalité des connaissances supérieures. Bref, si les statistiques touchant la capacité bilingue globale peuvent être faussées du fait que l'on surestime la compétence linguistique de certaines personnes — comme on le déplore souvent — il est fréquent également que l'on sous-estime cette compétence.

Nous devons rendre justice au Conseil du Trésor et à la Commission de la Fonction publique : ils ont su reconnaître et encourager les tendances les plus favorables à cet égard. Le tableau I.5 présente une comparaison entre les exigences linguistiques des postes bilingues et la compétence réelle de leurs titulaires.

Tableau I.5

Répartition des postes bilingues occupés[a] selon leurs exigences, et des titulaires de ces postes selon leur compétence, décembre 1987

	Postes bilingues		Titulaires	
	Nombre	%	Nombre	%
Niveau élémentaire (A)	5 835	9,3	4 647	7,4
Niveau intermédiaire (B)	48 250	77,0	25 272	40,3
Niveau supérieur (C)	6 192	9,9	25 372	40,5
Autres	2 388	3,8	7 374	11,8
TOTAL	**62 665**	**100,0**	**62 665**	**100,0**

[a] Treize mille cinq cents titulaires de postes unilingues ont également subi dernièrement des tests de langue seconde.

Source : Système d'information sur les langues officielles.

Il y a cependant une ombre au tableau : à notre grand regret, notre recommandation de l'an dernier portant sur la suppression graduelle des postes exigeant le niveau de compétence inférieur ne semble guère avoir eu d'effet : on comptait 6 464 postes de ce niveau en 1986, et on n'en compte que 629 de moins cette année.

Déséquilibres régionaux et hiérarchiques

L'analyse statistique réserve encore quelques déceptions. En général, il y a concentration du personnel bilingue dans les régions déjà les mieux pourvues sous ce rapport : la région de la Capitale nationale et le Québec. Là où l'offre active de services bilingues fait le plus défaut et où elle est le plus difficile à réaliser, les progrès ont été nettement plus modestes (voir le tableau I.6). Il semble par ailleurs que le système ait le don mystérieux de renouveler continuellement le nombre de fonctionnaires occupant des postes bilingues de gestion supérieure, ou d'autres postes d'encadrement, et qui sont soit exemptés des exigences de leur poste, soit relativement incapables de fonctionner dans leur langue seconde.

Tableau I.6

Postes bilingues et titulaires qualifiés, par région, 1984 et 1987

	1984				1987			
	Postes bilingues		Titulaires bilingues		Postes bilingues		Titulaires bilingues	
Région	**Nombre**	**%**	**Nombre**	**%**	**Nombre**	**%**	**Nombre**	**%**
Territoires et provinces de l'Ouest	1 223	1.9	1 036	1.9	1 266	2,0	1 143	2,1
Ontario	2 552	4,0	2 156	4,0	2 496	4,0	2 092	3,9
Région de la Capitale nationale	40 050	63,4	33 617	62,0	39 166	62,8	32 852	61,2
Québec	15 768	25,0	14 584	26,9	15 877	25,4	14 517	27,0
Nouveau-Brunswick	2 474	3,9	2 043	3,8	2 567	4,1	2 225	4,1
Autres provinces de l'Atlantique	1 054	1,7	800	1,5	1 023	1,6	852	1,6
TOTAL	**63 121**	**100,0**	**54 236**	**100,0**	**62 395**	**100,0**	**53 681**	**100,0**

Source : Système d'information sur les langues officielles.

Taux d'occupation des francophones et des anglophones

L'un des aspects du système d'exigences linguistiques nécessite de notre part une attention particulière : il s'agit du taux de nomination des francophones et des anglophones à des postes bilingues, ainsi que de leur taux d'occupation, par rapport aux exigences linguistiques de ces postes. Les postes bilingues comptent maintenant pour 28,3 p. 100 des emplois au sein de l'administration fédérale ; ceux qui exigent la connaissance du français, pour 7,1 p. 100 ; et ceux qui exigent la connaissance de l'anglais, pour 59,3 p. 100. Les 5,3 p. 100 qui restent sont des postes dits « réversibles ». Comme nous l'avons fait remarquer fréquemment dans le passé, le pourcentage de francophones occupant des postes bilingues ou nommés à de tels postes peut paraître excessif aux yeux de l'observateur non averti. En 1984,

leurs taux d'occupation et de nomination étaient respectivement de 61 et de 66 p. 100 ; en 1987, de 62 et de 61 p. 100. Ainsi le taux d'occupation a connu une légère augmentation alors que le taux de nomination a subi une baisse assez marquée. L'une des explications de ce phénomène est que les francophones, qui représentent 28 p. 100 de l'effectif de la Fonction publique, ont des possibilités d'accès plus limitées que les anglophones aux postes n'exigeant que la connaissance de leur première langue officielle ou ne comportant aucune exigence linguistique. Étant donné que les francophones bilingues sont plus nombreux, toutes proportions gardées, que les anglophones bilingues au sein de la société canadienne, ils ont tendance à accaparer les postes bilingues. Comment pourrait-il en être autrement quand seulement 7 p. 100 de l'ensemble des postes sont classés « français essentiel » ?

Ce que cela n'explique pas, c'est *pourquoi* il y a si peu de postes « français essentiel », notamment au Québec, et *pourquoi*, alors que les francophones accèdent en grand nombre aux postes bilingues, l'usage du français comme langue de travail n'a pas augmenté en conséquence[3]. Du point de vue de l'imputabilité, cet aspect du programme n'est guère satisfaisant. Par conséquent, **nous recommandons que le Conseil du Trésor et la Commission de la Fonction publique entreprennent conjointement une étude de la répartition et de l'occupation des postes bilingues et unilingues, de la dotation « impérative » et d'autres facteurs, et effectuent des projections quant à l'interaction de ces facteurs, afin de déterminer les modifications qu'il conviendra d'apporter, à long terme, à la politique.**

La dotation « impérative »

Il y a une dizaine d'années, le gouvernement émettait une ligne de conduite selon laquelle une certaine proportion des postes bilingues seraient graduellement interdits aux « titulaires conditionnels » — c'est-à-dire les candidats reçus qui n'étaient pas bilingues au moment de leur nomination, mais qui étaient prêts à suivre la formation linguistique requise. On avait prévu qu'aucune nomination de ce genre ne se ferait après 1981 ; la chose fut cependant jugée irréaliste et on abandonna l'idée presque immédiatement. Quoi qu'il en soit, à mesure que le bassin de candidats bilingues s'élargissait, la proportion des postes dotés de façon « impérative » (c'est-à-dire pour lesquels les candidats doivent obligatoirement être bilingues) est passée de 5 p. 100 en 1980 à près de 48 p. 100 en 1987. La proportion globale de nouveaux titulaires bilingues s'est également accrue. Résultat : les titulaires exemptés ou « conditionnels » — c'est-à-dire ceux qui disposent de deux ans pour compléter leur formation linguistique — comptaient pour 7 p. 100 des quelque 17 000 nominations de ce genre en 1986, contre 14 p. 100 des quelque 20 000 nominations en 1982.

Il y a de bons et de mauvais côtés à cette situation. De toute évidence, il faut se réjouir du fait que l'on respecte davantage le principe du mérite, selon lequel un candidat reçu devrait idéalement répondre à toutes les exigences du poste. On peut aussi penser, en toute logique, que cette tendance à combler principalement les postes bilingues par des candidats compétents a beaucoup à voir avec

[3] Depuis 1981, aucune enquête exhaustive n'a été effectuée sur l'usage des langues officielles au travail. Il est donc difficile d'évaluer avec certitude l'évolution de la situation à cet égard au cours des six dernières années.

l'amélioration de la capacité bilingue globale dont nous parlions plus haut. D'aucuns estiment qu'il s'agit maintenant de décider à quel moment la dotation « impérative » devrait devenir la règle universelle. Dans son quatrième rapport, le Comité mixte permanent a recommandé que cela se fasse immédiatement. Le gouvernement a répliqué qu'il s'agissait plutôt de savoir jusqu'où on pouvait aller en ce sens, et à quel rythme. Bien que nous partagions les préoccupations du Comité quant au recours abusif à la règle qui permet aux unilingues « exemptés » d'être nommés à des postes bilingues[4], nous croyons que le gouvernement a raison de rejeter pour l'instant un changement aussi radical. En fait, il serait peut-être plus juste envers les Canadiens des deux groupes linguistiques, à long terme, de ne jamais éliminer complètement la possibilité pour un candidat de recevoir une formation linguistique après sa nomination, à condition bien sûr qu'il soit disposé à devenir bilingue et qu'il en soit capable. Quand le Canada sera-t-il prêt à franchir un tel pas? La question n'est certes pas facile à trancher mais, chose certaine, ce n'est pas au hasard qu'il convient de laisser la réponse. **Nous recommandons que la question de la dotation « impérative » soit étudiée en profondeur, en tenant compte de facteurs tels le bilinguisme individuel dans les divers groupes d'âge de la population canadienne et les possibilités d'accès aux postes bilingues de la Fonction publique dans les diverses régions.** Étant donné les caractéristiques démographiques et linguistiques du pays et la nécessité pour la Fonction publique de demeurer représentative de la société canadienne, il est préférable pour le moment de tolérer des ratés occasionnels dans des secteurs où l'on compte déjà de nombreux employés bilingues plutôt que d'exclure complètement des unilingues francophones ou anglophones de talent.

La formation linguistique

Dans quelle mesure la formation linguistique a-t-elle contribué à rehausser la capacité de l'administration fédérale à fonctionner en français et en anglais? On ne le saura jamais vraiment. Le nombre de diplômés de la formation linguistique occupant des postes bilingues à un moment donné ne nous permet pas de savoir au juste à quel point ils contribuent à améliorer les possibilités du public d'obtenir des services bilingues ou à créer un climat de travail favorable à l'usage de l'une ou l'autre langue. De même, il est difficile d'établir un lien direct entre le nombre des diplômés de la formation linguistique et celui des fonctionnaires qui emploient effectivement les deux langues. Parmi les anglophones formés au sein de la Fonction publique, certains font leur part aussi activement qu'ils le peuvent, d'autres apportent un certain soutien passif, et d'autres encore ont, à toutes fins utiles, « cessé de pratiquer ». Il est cependant difficile d'évaluer la proportion d'employés dans chacune de ces catégories. Par contre, il est rare qu'un francophone ayant reçu une formation en anglais ne fasse pas usage couramment de sa langue seconde.

[4] En principe, cette règle s'applique uniquement aux fonctionnaires unilingues qui bénéficiaient de droits acquis lorsque le système d'exigences linguistiques a été adopté en 1973, ou à ceux qui réclament une exemption en raison de leur âge ou pour des raisons de santé.

La difficulté pour les uns comme pour les autres est souvent d'ordre psychologique : certains se mouillent, d'autres pas. Nous sommes heureux d'apprendre à cet égard que le Conseil du Trésor a autorisé des études visant à déterminer dans quelle mesure la compétence linguistique acquise en cours de formation est utilisée au sein des divers ministères et organismes. **Nous recommandons que l'on évalue régulièrement, dans le cadre de la procédure de révision du programme, la contribution de la formation linguistique à l'usage du français et de l'anglais par les fonctionnaires, en tenant compte, notamment, du bilinguisme individuel au sein de la population canadienne et des possibilités d'accès aux postes bilingues dans les diverses régions.**

Compte tenu de l'investissement de deniers publics que suppose la formation, ces résultats peuvent ne pas sembler très satisfaisants ; ils pourraient assurément l'être davantage. Le Parlement aurait pu choisir, par ailleurs, de bilinguiser l'administration fédérale en recrutant des francophones bilingues — qui auraient alors travaillé majoritairement sinon exclusivement en anglais. Au lieu de cela, il a opté pour une formule mixte qui permet de répartir plus largement le « fardeau » du bilinguisme individuel parmi les deux communautés. Si nous avions choisi un régime moins coûteux basé sur la diffusion d'un bilinguisme réceptif en milieu de travail, nous aurions peut-être obtenu des résultats moins brillants. **Nous réitérons pourtant notre recommandation de tenter une expérience systématique de formation linguistique visant explicitement un bilinguisme *réceptif* efficace.** Comme nous le verrons dans la partie II de ce rapport, l'apparente stagnation que l'on observe dans l'usage du français comme langue de travail est telle que les moyens d'action actuels ne suffiront plus : il faudra vraisemblablement avoir recours à de nouveaux incitatifs individuels et institutionnels.

Nous avons noté l'an dernier que l'on entendait resserrer les règles d'admission à la formation linguistique payée par l'État, que ce soit durant ou après les heures de travail. Or les pressions exercées par les syndicats n'ont pas permis de le faire. Le Conseil du Trésor a indiqué en décembre qu'on était à négocier des règles d'accès plus généreuses, et que l'on mettrait sur pied des projets pilotes visant à s'assurer que la compétence linguistique acquise soit bel et bien utilisée au travail. Le tableau I.7 présente les principales données touchant la formation en langue seconde pour 1986 et 1987.

Tableau I.7

Formation en langue seconde offerte par la Commission de la Fonction publique, 1986 et 1987

	1986	1987
Inscriptions à la formation de base continue	1 898	1 452
Inscriptions aux autres cours	19 028	18 978
Total du personnel (enseignement, soutien pédagogique et autre)	744	588
Coût global (en milliers de dollars)	**21 670**	**21 018**

Source : Commission de la Fonction publique.

La prime au bilinguisme

La seule nouvelle digne de mention en ce qui a trait à la prime au bilinguisme est qu'environ 55 000 fonctionnaires ont touché en 1987 un montant fixe de 800 $ à ce titre, et que les nouveaux tests de langue mis en place au mois d'avril ont permis de rayer plus de 500 employés de la liste des bénéficiaires — mesure qui pourrait n'être que temporaire puisque ces derniers ont été invités à se prévaloir d'une formation linguistique supplémentaire pouvant aller jusqu'à 200 heures. Pour le reste, on ne semble pas avoir l'intention de modifier cette politique dans un avenir prévisible. Pourtant, comme moyen d'accroître le bilinguisme au sein de la Fonction publique, la prime au bilinguisme n'est plus adaptée aux besoins actuels. Elle est accordée sans distinction aux méritants et aux moins méritants, perdant ainsi beaucoup de sa valeur incitative. Nous avons recommandé dans le passé, sans succès, que l'on trouve des moyens d'éliminer de la liste des bénéficiaires les fonctionnaires pour qui le bilinguisme fait partie intégrante de leurs tâches et qui reçoivent déjà une rémunération adéquate. Nous croyons fermement que le programme profiterait davantage d'une prime progressive ; ceux qui démontrent une capacité supérieure recevraient ainsi une compensation en conséquence. Malheureusement, les syndicats se sont toujours montrés réfractaires à cette idée. **Dans le contexte d'une nouvelle *Loi sur les langues officielles* — qui vise, notamment, à accroître l'imputabilité —, nous recommandons au Conseil du Trésor de réévaluer la question de la prime au bilinguisme et de chercher à accroître son efficacité en tant qu'incitatif tout en en réduisant le coût global.** On devrait notamment considérer sérieusement la possibilité de réserver cette prime aux titulaires de postes dont les principales fonctions sont de servir le public dans les deux langues.

Traduction

Parmi les frais que suppose une administration fédérale bilingue, les plus évidents et les plus inévitables sont certes ceux reliés à la traduction et à l'interprétation. La demande pour de tels services, sans être infinie, croît sans cesse : il semble en effet que plus un organisme gouvernemental devient fonctionnellement bilingue, plus le volume de mots qu'il doit faire traduire est grand. Les gouvernements successifs ont tenté depuis des années de rationaliser et de limiter le recours à ces services. Or à moins de demander aux hommes et aux femmes politiques ainsi qu'aux fonctionnaires de moins parler ou de moins écrire, il n'y a pas trente-six façons d'y arriver. On peut établir une ligne de conduite déterminant le genre de document qui doit être disponible dans les deux langues officielles ; on peut proscrire le recours à la traduction ou à l'interprétation dans certains cas ; ou on peut tenter de faire traduire davantage de mots en moins de temps à un coût égal ou inférieur. Si les pressions visant à réduire la traduction « superflue » ont réussi en partie à prévenir les abus, les progrès que l'on observe depuis le début des années 80 sont en grande partie attribuables au plafonnement ou à la réduction des ressources ainsi qu'à l'utilisation de la technologie pour accroître la productivité des traducteurs. C'est ainsi que le Bureau des traductions a perdu presque 300

années-personnes depuis 1981, dont 66 cette année. Répondant à l'appel du gouvernement, il s'est efforcé de faire plus avec moins, et la productivité a sensiblement augmenté depuis 1981. Ainsi, le temps requis pour produire une traduction d'un texte de 5 000 à 10 000 mots a été réduit du tiers environ, cette réduction atteignant près de 40 p. 100 pour les textes de plus de 10 000 mots.

Par contre, la demande pour les services de traduction et d'interprétation n'a cessé d'augmenter : le volume total de la traduction est aujourd'hui de 5 p. 100 plus élevé qu'il y a sept ans. Or le Bureau n'a pas pu acheter tous les micro-ordinateurs et les machines de traitement de texte dont ses traducteurs auraient besoin pour accroître leur efficacité, et le recours à des sous-traitants du secteur privé pour traiter le surplus ne s'est pas avéré aussi économique que prévu, puisque ceux-ci profitent de la situation pour augmenter leurs tarifs. Alors que les plaintes touchant la disponibilité et la qualité du service se font de plus en plus fréquentes, on commence à penser que le Bureau est à la veille d'une crise majeure.

Il semble bien que la politique de restriction ait atteint, voire dépassé ses limites. Si l'on écarte la solution évidente — mais sans doute inacceptable — de répondre à la demande croissante par un accroissement des ressources et de leur productivité, il faut très certainement se demander si l'on a fait tout ce qu'il était possible de faire pour réduire la demande à la source. Il n'est certes pas dans l'intérêt public de rattraper le temps perdu en traduisant une somme de documents techniques dont la plupart seraient déjà périmés ou peu utilisés une fois traduits. **Nous recommandons la création immédiate d'un groupe de travail chargé de revoir en détail toute la question de la traduction et de l'interprétation, et de proposer une nouvelle politique fédérale en cette matière.** Le tableau I.8 retrace l'évolution du volume de la traduction et des ressources qui y ont été consacrées au cours des années 80.

Tableau I.8

Volume de la traduction et ressources humaines et financières du Bureau des traductions du Secrétariat d'État, 1980-1981 et 1987-1988[a]

	1980-1981	1987-1988
Millions de mots	232	244
Années-personnes	1 769	1 477
Millions de dollars	58,7	84,4

[a]Langues officielles seulement.

Source : Secrétariat d'État et Secrétariat du Conseil du Trésor.

Recommandations

Compte tenu du partage des tâches établi par le projet de loi C-72 parmi les organismes centraux, nous recommandons que le Conseil privé continue, au moins pendant quelques années après son adoption, de veiller à la coordination des programmes linguistiques de ces organismes.

Nous recommandons au Conseil du Trésor de réévaluer les ressources que lui-même et les autres ministères et organismes fédéraux consacrent à la gestion et à la promotion des langues officielles, afin de déterminer s'il y a lieu de les accroître ou de les réaffecter pour répondre aux nouveaux besoins.

Nous recommandons au Conseil du Trésor d'étudier les lettres d'entente soumises par les ministères et organismes fédéraux afin de déterminer les activités pour lesquelles ces derniers pourraient avoir besoin d'une aide directe de sa Direction des langues officielles.

Nous recommandons que le Conseil du Trésor et la Commission de la Fonction publique entreprennent conjointement une étude de la répartition et de l'occupation des postes bilingues et unilingues, de la dotation « impérative » et d'autres facteurs, et effectuent des projections quant à l'interaction de ces facteurs, afin de déterminer les modifications qu'il conviendra d'apporter, à long terme, à la politique.

Nous recommandons que la question de la dotation « impérative » soit étudiée en profondeur, en tenant compte de facteurs tels le bilinguisme individuel dans les divers groupes d'âge de la population canadienne et les possibilités d'accès aux postes bilingues de la Fonction publique dans les diverses régions.

Nous recommandons que l'on évalue régulièrement, dans le cadre de la procédure de révision du programme, la contribution de la formation linguistique à l'usage du français et de l'anglais par les fonctionnaires, en tenant compte, notamment, du bilinguisme individuel au sein de la population canadienne et des possibilités d'accès aux postes bilingues dans les diverses régions.

Nous recommandons que l'on tente une expérience systématique de formation linguistique visant explicitement un bilinguisme *réceptif* efficace.

Dans le contexte d'une nouvelle *Loi sur les langues officielles* — qui vise, notamment, à accroître l'imputabilité —, nous recommandons au Conseil du Trésor de réévaluer la question de la prime au bilinguisme et de chercher à accroître son efficacité en tant qu'incitatif tout en en réduisant le coût global.

Nous recommandons la création immédiate d'un groupe de travail chargé de revoir en détail toute la question de la traduction et de l'interprétation, et de proposer une nouvelle politique fédérale en cette matière.

Le Comité mixte permanent : le pouvoir des questions

Il est réconfortant de constater que les parlementaires canadiens s'intéressent non seulement à la mise en œuvre du programme des langues officielles au sein même de l'administration fédérale, mais également à l'ensemble des répercussions de ce programme, notamment dans le domaine de l'enseignement et des autres services provinciaux. Ils s'interrogent en particulier sur l'efficacité des dispositions constitutionnelles touchant le statut des langues officielles et les droits des minorités à l'instruction dans leur langue.

Le Comité mixte a soumis trois rapports au gouvernement cette année. Le premier avait trait à l'article 23 de la *Charte canadienne des droits et libertés* ; le deuxième, au programme des langues officielles. Le gouvernement a répondu officiellement à ces deux rapports. Dans un troisième et bref rapport, remis à la fin de l'année, le Comité se montre très préoccupé de ce que certains francophones du Canada ne pourront jouir de la télédiffusion complète en français des Jeux olympiques de Calgary.

Il faut signaler que le Comité a été particulièrement actif au cours de l'automne 1986 et du premier semestre de 1987. Si exigeant de la plupart des ministères et organismes qu'ils se présentent à nouveau devant lui six ou huit mois après leur première comparution, il a nettement accru son efficacité. Les résultats s'en sont d'ailleurs fait sentir à divers degrés dans toute l'administration.

Le rapport sur l'article 23 de la Charte

En 1986, dans la foulée, notamment, du colloque sur les minorités de langue officielle organisé par le Commissariat l'automne précédent, le Comité mixte s'était penché principalement sur l'enseignement dans la langue minoritaire. Il avait alors entendu les représentants de plusieurs associations — entre autres la Fédération des Francophones hors Québec, Alliance Québec, la Société nationale des Acadiens, l'Association canadienne d'éducation en langue française, la Fédération canadienne des enseignants et enseignantes, la Canadian Parents for French et la Commission nationale des parents francophones — ainsi que plusieurs témoins experts, dont des spécialistes des sciences de l'éducation. Il a donc décidé cette année de soumettre au Parlement un premier rapport portant sur la mise en œuvre de l'article 23 de la *Charte canadienne des droits et libertés*, qui définit le droit des minorités à un enseignement dans leur langue.

Dans ce rapport, le Comité constate que la plupart des provinces ne se sont pas encore conformées aux dispositions de l'article 23. Si l'on continue de tolérer cet état de choses et si les actions judiciaires continuent de se multiplier, les beaux principes qu'énonce cet article seront bientôt submergés par les difficultés d'application qu'il rencontre.

À plusieurs reprises, on a fait valoir devant le Comité que l'aide financière versée par Ottawa aux provinces pour l'enseignement dans la langue de la minorité n'était pas toujours utilisée à cette fin. Plusieurs groupements se sont plaints par ailleurs de l'absence presque totale de formation postsecondaire en français dans plusieurs provinces majoritairement anglophones. À cet égard, le Comité exprime l'avis que le gouvernement fédéral, étant donné son importante participation financière, devrait s'attaquer vigoureusement à ce problème et a recommandé notamment que cette question soit ajoutée à l'ordre du jour du Colloque national sur l'éducation postsecondaire (prévu alors pour octobre 1987 à Saskatoon). Le Comité a d'ailleurs préconisé la tenue d'une conférence fédérale-provinciale des premiers ministres pour discuter de tous les aspects des langues officielles dans l'enseignement au Canada. Enfin, le Comité a demandé que l'examen du projet de loi sur les langues officielles lui soit confié plutôt qu'à un comité parlementaire.

Dans sa réponse officielle au rapport du Comité, le porte-parole du gouvernement — en l'occurrence le Secrétaire d'État — a signalé que le problème de l'enseignement postsecondaire en français hors du Québec avait fait l'objet de discussions lors du colloque de Saskatoon. Il a promis par ailleurs de soulever la question d'une conférence des premiers ministres sur les langues officielles dans l'enseignement auprès du Conseil des ministres de l'Éducation du Canada. Le ministre a toutefois rappelé que « des mécanismes bien éprouvés de coopération fédérale-provinciale sont déjà en place en ce domaine » : plusieurs de ces questions sont en effet abordées dans le cadre des négociations en vue du renouvellement des ententes quinquennales sur le financement des programmes d'enseignement dans la langue de la minorité et de la langue seconde.

En ce qui a trait au projet de loi sur les langues officielles (C-72), dont le Comité souhaitait être saisi, le ministre a estimé qu'il valait mieux respecter la procédure parlementaire établie et en confier l'examen à un comité législatif. Étant donné que chaque chambre du Parlement doit examiner le projet séparément, a-t-il souligné, les députés et sénateurs membres du Comité mixte pourront faire partie des comités législatifs de leur chambre respective.

Le rapport sur le programme des langues officielles

Le Comité s'est par la suite consacré à son mandat principal : être la conscience parlementaire des ministères et organismes fédéraux en ce qui a trait à la mise en œuvre du programme des langues officielles. Parmi les vingt organismes fédéraux qui ont témoigné devant lui, trois ont comparu de nouveau quelques mois plus tard afin d'exposer les mesures qu'ils avaient prises ou qu'ils entendaient prendre pour corriger leurs manquements en matière de langues officielles. Il s'agit de la Gendarmerie royale du Canada, du Service correctionnel canadien

et du Service canadien du renseignement de sécurité. La plupart des autres organismes entendus ont été invités à se représenter devant le Comité dans un avenir prochain.

Par suite de ces comparutions — menées avec beaucoup de méthode et de vigueur —, le Comité mixte a déposé son rapport sur le programme des langues officielles au sein de l'administration fédérale. Il y constate qu'il reste beaucoup à faire pour compléter la réforme : la mise en œuvre du programme des langues officielles manque dans l'ensemble d'élan et d'orientation, et ne reçoit pas l'attention qu'elle mérite au sein de plusieurs ministères et organismes. Le Conseil du Trésor est lui-même accusé d'avoir laissé certaines situations se détériorer depuis quelques années. On lui reproche notamment le fait que de nouveaux organismes aient vu le jour sans avoir à soumettre un plan d'action relatif aux langues officielles. Par leur incapacité à mettre en place un système d'imputabilité touchant la mise en œuvre du programme, les organismes centraux ont failli à leur tâche.

Le Comité déplore que les citoyens de langue minoritaire soient trop souvent privés de services dans leur langue, même dans les régions du pays où ils sont très nombreux. Cette situation est particulièrement inacceptable dans le cas d'organismes dotés d'un pouvoir de coercition ou lorsque la santé et la sécurité du public sont en jeu. Faisant référence notamment à Pétro-Canada et à la Société canadienne des postes, le Comité souligne que « certains autres organismes continuent de véhiculer une image unilingue du pays, même si leurs bureaux ou services sont répartis sur l'ensemble de son territoire ».

La Résolution parlementaire de 1973 établissait clairement le droit des fonctionnaires de travailler, à certaines conditions, dans leur langue officielle d'élection. Or même dans des ministères et organismes comptant 20 à 25 p. 100 de francophones, la langue de travail demeure « très majoritairement l'anglais ». Rarement se donne-t-on la peine d'émettre des directives visant à promouvoir l'usage du français et de l'anglais au travail. Le Comité se demande donc si le concept même du libre choix de la langue de travail ne demeure pas une « notion nébuleuse », sans aucun effet réel.

Enfin, en ce qui touche la représentation des deux groupes linguistiques au sein de la Fonction publique fédérale, le Comité constate que si le gouvernement est parvenu à établir un taux de participation global satisfaisant, son objectif fondamental est loin d'avoir été atteint : certaines inégalités persistent en effet tant sur le plan sectoriel que régional. Ainsi, les francophones sont presque toujours insuffisamment représentés dans la catégorie Gestion, et surreprésentés dans celle du Soutien administratif. Par ailleurs, s'ils sont trop peu nombreux dans maintes régions à l'extérieur du Québec, les anglophones, eux, sont loin d'avoir la place qui leur revient dans cette province, malgré les efforts déployés ces dernières années pour corriger ce déséquilibre. Le Comité formule une dizaine de recommandations couvrant à peu près tous les aspects du programme, de la représentation

équitable des deux groupes de langue officielle à la formation linguistique (et notamment aux conditions d'accès), en passant par la prime au bilinguisme destinée aux fonctionnaires, la désignation et la dotation des postes bilingues et le niveau de compétence requis dans la langue seconde.

Dans sa réponse, le président du Conseil du Trésor a reconnu la justesse de la plupart des critiques du Comité, et affirmé la volonté du gouvernement d'accomplir davantage une fois mise en vigueur la nouvelle *Loi sur les langues officielles*. À son avis, le projet de loi témoignait clairement de l'engagement du gouvernement. Tout en indiquant qu'il n'hésitera pas à prendre toutes les mesures nécessaires pour faire appliquer la Loi, il estime cependant qu'en vertu de sa politique de délégation des pouvoirs, il appartient à chaque ministère ou organisme d'utiliser ses ressources de la façon qui convient le mieux à son mandat et à sa situation particulière. Le gouvernement estime, par ailleurs, qu'il n'est pas toujours possible de nommer aux postes bilingues des gens qui répondent pleinement aux exigences linguistiques. Il continuera donc à accepter que l'on embauche, à l'occasion, des candidats unilingues, à condition qu'ils s'engagent à devenir bilingues.

L'examen du projet de loi C-72 en comité législatif et son approbation par les deux chambres viendront confirmer — du moins l'espérons-nous — la pertinence et l'efficacité des audiences publiques du Comité comme moyen de faire progresser la réforme de notre régime linguistique.

La télédiffusion des Jeux olympiques de Calgary

Le Comité a mis fin à ses travaux en 1987 par la présentation d'un bref rapport sur la télédiffusion des Jeux olympiques de Calgary dont allaient être privés en français nombre de Canadiens. Par suite de ses démarches, les intéressés en sont finalement arrivés à un compromis. (Le lecteur trouvera un compte rendu plus détaillé de cette question dans la partie IV de ce rapport.) Pour s'assurer que cette situation n'allait par se répéter, le Comité a recommandé « que le gouvernement adopte une politique et émette des directives précises afin d'assurer que tout événement populaire d'envergure nationale financé à même des contributions fédérales reflète la dualité linguistique du pays dans tous ses aspects, notamment dans sa mise sur pied, sa gestion, sa signalisation, sa publicité et sa diffusion. »

Nous nous réjouissons enfin que la nouvelle *Loi sur les langues officielles* prévoie un renforcement du mandat du Comité. Par l'ampleur qu'il a donné à ses travaux, le Comité mixte permanent a largement contribué au renouveau qui s'amorce.

PARTIE II

Analyse : l'égalité en trois dimensions

Analyse : l'égalité en trois dimensions

L'an dernier, nous avions comparé la réforme du régime linguistique à un grand voilier encalminé dont l'équipage s'agite sur les ponts pour tromper son ennui. Pour conserver la même image, disons que le calme plat a continué de régner durant la majeure partie de 1987, mais qu'une brise légère s'est enfin levée au cours du dernier trimestre : l'activité a repris, et le navire semble maintenant prêt à reprendre le large.

Ce regain d'activité au sein du Conseil du Trésor et de plusieurs autres organismes est attribuable en grande partie au dépôt du projet de loi C-72 sur les langues officielles, aux travaux du Comité mixte permanent et aux interventions du gouverneur en conseil, à qui le Commissaire avait soumis trois rapports spéciaux portant sur des problèmes vieux de plus d'une décennie. C'est cependant sur le plan administratif qu'a eu lieu tout ce remue-ménage : il est encore trop tôt pour en mesurer les effets sur le service au public ou sur la situation linguistique au sein de la Fonction publique fédérale.

Force nous est donc de constater qu'il n'y a guère eu de progrès en 1987 en ce qui a trait aux trois grands objectifs du programme des langues officielles : la prestation de services bilingues au public, l'usage équitable du français et de l'anglais comme langues de travail et la pleine participation des deux groupes linguistiques. Tandis que les plaintes mettant en cause les organismes fédéraux ne cessent d'augmenter d'année en année, les vérifications et suivis que nous avons effectués en 1987 indiquent qu'il faudra plus qu'un zéphyr pour entraîner notre vaisseau vers des latitudes propices à la réalisation de nos buts : l'égalité, la qualité et la continuité.

Les plaintes

Les plaintes que le Commissaire reçoit en sa qualité d'ombudsman linguistique représentent une contribution indispensable à la réforme de notre régime linguistique. Désireux de protéger encore davantage les droits des Canadiens en cette matière, nous avons amélioré le traitement de ces plaintes, en les regroupant au besoin, et resserré la gestion des enquêtes afin de rendre plus efficaces nos interventions auprès des organismes fédéraux.

Les plaignants ne doivent surtout pas sous-estimer l'importance de leur rôle : ils agissent en effet comme éclaireurs en soulignant les faiblesses du programme

et en nous aidant à reconnaître les obstacles systémiques qui sont à la source de problèmes perpétuels. Le tableau A.1 décrit en détail les mécanismes de traitement des plaintes. Pour le moment, voici les grandes tendances de 1987 à cet égard :

- globalement, le nombre de plaintes s'est accru de 28,2 p. 100 en 1987, passant de 1 840 à 2 360 ;
- les plaintes touchant le service au public sont passées de 1 583 à 2 080, soit une augmentation de 31,4 p. 100 ;
- le nombre de plaintes relatives à la langue de travail est demeuré sensiblement le même : 242 en 1986, 248 cette année ;
- les lacunes dans la participation des deux groupes linguistiques ont suscité, pour leur part, 32 plaintes en 1987, contre 15 l'an dernier.

Le lecteur trouvera dans les trois chapitres qui suivent notre diagnostic de la situation de 1987 au sein de l'administration fédérale en ce qui touche les trois éléments fondamentaux de la réforme de notre régime linguistique.

Le service au public : pas mal au centre, mais ailleurs...

Les institutions fédérales ont-elles mieux servi la population canadienne dans les deux langues officielles en 1987 ? Ni mieux ni plus mal en vérité qu'au cours des sept dernières années. Après avoir fait des progrès impressionnants entre 1969 — année de la promulgation de la *Loi sur les langues officielles* — et la fin de la décennie 70, la prestation des services fédéraux en français et en anglais n'a connu depuis lors qu'un piètre développement. En dépit d'efforts louables de la part des organismes centraux et de divers ministères et organismes, les minorités francophones et anglophone sont loin d'être traitées selon les règles de l'égalité et de la justice linguistiques. C'est d'ailleurs ce que confirment nos enquêtes et nos vérifications, ainsi que le nombre élevé de plaintes qui nous parviennent du public.

En fin d'année 1987, le bilan de la situation se présente comme suit : en matière de services bilingues, les institutions fédérales de la région de la Capitale nationale et des régions bilingues du Québec offrent un rendement satisfaisant aussi bien sous le rapport de la quantité que celui de la qualité. Ailleurs au pays où sont présents les deux groupes linguistiques, la visibilité, sinon l'existence, des services dans les deux langues fait souvent défaut et la qualité de ces services laisse généralement à désirer.

Aperçu des vérifications de 1987

Cette année, les services fournis au public par des ministères et organismes fédéraux ont fait l'objet de 22 vérifications, suivis et études. Les résultats de ces enquêtes approfondies permettent d'affirmer que la majeure partie des infractions à la Loi s'expliquent largement par la perpétuation de pratiques administratives inappropriées et le peu de sensibilité de certains fonctionnaires aux besoins du public. Ces pratiques ou attitudes, qui constituent souvent des blocages systémiques, se présentent principalement comme suit :

- La pénurie du personnel bilingue trouve l'une de ses principales causes dans le recours fréquent par les ministères à la pratique communément appelée

« dotation non impérative des postes bilingues », et qui rend possible la nomination d'unilingues à ces postes. Ce mode de dotation, qui se voulait temporaire lors de son adoption en 1973, entrave considérablement la prestation de services dans les deux langues. Au 30 septembre 1987, sur les 5 101 titulaires non qualifiés de postes désignés bilingues aux fins du service au public, 1 672 (32,8 p. 100) se trouvaient dans cette situation en vertu d'une dotation non impérative.

- Par ailleurs, nous avons constaté que l'absence d'offre active de services en français et en anglais est étroitement liée au fait que bon nombre d'employés officiellement bilingues n'ont pas une connaissance suffisante de la langue seconde. Au 30 septembre 1987, le nombre des postes bilingues n'exigeant que le niveau élémentaire de connaissance de la langue seconde (niveau A ou moins) s'élevait à 6 377, soit 10,2 p. 100 de tous les postes bilingues. La situation est exactement la même qu'en 1986, malgré la recommandation que nous adressions au gouvernement l'an dernier. Notons toutefois que le président du Conseil du Trésor a indiqué en novembre au Comité mixte des langues officielles que le gouvernement était favorable à « l'élimination progressive du niveau A pour les postes bilingues servant le public ».

- La politique du gouvernement permet depuis plus de dix ans le recours à des arrangements administratifs pour pallier le manque de personnel bilingue ou lorsque le titulaire d'un poste bilingue n'a pas la compétence requise. Or notre examen de ces diverses procédures montre qu'elles sont le plus souvent inopérantes et qu'elles ne garantissent pas un service d'égale qualité aux deux groupes linguistiques.

- Finalement, en dépit de nos interventions répétées auprès de quantité de ministères et d'organismes, nos vérifications nous permettent d'affirmer que le personnel est souvent peu sensible à l'importance des droits linguistiques du public et qu'il n'a que rarement de comptes à rendre en ce domaine. Combien de fois encore devrons-nous tenter d'expliquer aux plaignants que l'employé a « oublié » d'assurer le service ?

Ce que révèlent les plaintes

Ce qui frappe lorsqu'on analyse les plaintes relatives au service, c'est que leur nombre — qui s'est fortement accru au cours des dernières années — ne cesse de croître (de 1 583 en 1986, il est passé à 2 080 en 1987, soit une augmentation de 31.4 p. 100), et qu'elles portent le plus souvent sur des problèmes qui ont été maintes fois portés à l'attention des autorités. Il faut donc penser que les correctifs ne s'attaquent pas aux causes profondes du mal, ou encore que les effets des mesures prises sont très lents à se faire sentir. Dans un cas comme dans l'autre, c'est le public qui en souffre. Voyons donc quelques cas qui nous paraissent représentatifs.

Manque de personnel bilingue

Le 12 novembre 1986, la **Société canadienne des postes** a ouvert à Dieppe, au Nouveau-Brunswick, une boutique postale qui offre, en plus du service postal normal, des articles philatéliques et des souvenirs postaux. La ville de Dieppe, tout près de Moncton, a une population de 8 500 personnes, dont 71 p. 100 de langue française.

Dès le 20 novembre suivant, nous avions reçu une première plainte : un francophone fut d'abord accueilli en anglais, et ce n'est qu'après avoir insisté, et attendu longuement que le préposé trouve un collègue parlant français, qu'il fut enfin servi dans sa langue. Cette situation s'est répétée de nombreuses fois tout le reste de l'année, et lorsque nos agents régionaux allèrent étudier la situation, ils eurent droit au même traitement. En 1987, le service en français a continué d'être irrégulier et les plaintes d'affluer : nous en avons maintenant reçu 17, toutes au sujet de cette seule et même boutique.

Dans un cas, un guichetier s'est contenté de montrer du doigt un panneau indiquant qu'à son guichet le service se faisait en anglais seulement. Comme personne d'autre ne parlait français, le client a dû inscrire lui-même le montant du mandat de poste qu'il désirait. Un autre a dû faire le dessin d'un timbre et indiquer par écrit la valeur et la quantité qu'il lui fallait. De guerre lasse, certains clients passèrent à l'anglais (lorsqu'ils le purent) ou tentèrent de trouver un autre client capable de servir d'interprète. Et le manque de service bilingue ne fut pas le seul problème : une dame âgée a trouvé humiliant d'entendre les employés grommeler et bougonner parce qu'elle demandait d'être servie en français ; à une autre occasion, ils se sont même carrément mis à rire d'elle lorsqu'elle a sollicité, dans un anglais laborieux, l'aide d'un autre client.

Notre enquête a révélé qu'il n'y avait aucune offre verbale de service en français et aucune affiche pour indiquer à quel guichet le service en français était disponible. Seulement deux des cinq employés sont bilingues et, comme les guichetiers travaillent par roulement, il arrive qu'il n'y ait aucune capacité bilingue. Malgré de nombreuses rencontres avec des dirigeants des Postes à Moncton et à Ottawa et un échange prolongé de lettres, il nous est difficile de trouver une solution durable à cette violation flagrante des dispositions de la Loi. À la fin de juillet, nous avons demandé à la Société de faire en sorte qu'au 15 septembre, un service de qualité égale soit disponible en français et en anglais à Dieppe, à toute heure du jour. La Société a accepté le principe d'y désigner tous les postes bilingues, mais pendant qu'elle négocie avec le syndicat les changements qui s'imposent, la clientèle continue d'être servie de façon inacceptable. En décembre, nous avons demandé formellement au président de la Société des postes de nous faire savoir, avant la fin de 1987, à quel moment les postes seraient officiellement désignés bilingues et occupés par des employés qualifiés ; quand la formation linguistique des titulaires serait complétée ; et enfin, quand le service en français serait définitivement assuré. Au moment de rédiger ces lignes, rien n'était encore réglé.

Insensibilité aux besoins linguistiques du public

Deux autres cas illustrent comment un ensemble de facteurs peut entraver la manifestation de la demande de services dans la langue minoritaire.

Dans le comté de Prescott-Russell (Ontario) où la majorité des producteurs agricoles sont francophones, la Division de la protection des végétaux d'**Agriculture Canada** y a affecté deux inspecteurs unilingues anglais. Dans un premier temps, le Ministère nous a informés que le service en français était disponible au bureau du sous-district à Ottawa, et que lesdits inspecteurs y auraient recours si un client francophone éprouvait de la difficulté à communiquer en anglais avec eux. Il semble bien que l'offre active de services bilingues demeure encore un concept nébuleux pour certains gestionnaires. Suite à nos interventions, et quelques mois plus tard, le Ministère y a affecté un inspecteur bilingue qui fournira des services en français aux clients qui en font la demande. De plus, l'un des inspecteurs anglophones suivra des cours de français et les postes d'inspecteurs seront désignés comme « bilingues impératifs » lorsqu'ils deviendront vacants. Nous avons bon espoir que la situation sera enfin réglée dans les mois qui viennent.

Au centre commercial Le Village Place Cartier à Hull, un kiosque de la **Gendarmerie royale du Canada**, visant à informer le public sur les drogues et l'alcool, n'offrait que de la documentation en français. Pour des raisons difficiles à comprendre, les membres de la GRC responsables de cette présentation n'avaient retenu que le français comme langue de communication avec le public. Toutefois, reconnaissant sans hésitation cet impair, la Gendarmerie a offert des excuses à la plaignante et a effectué les rappels nécessaires auprès de tous les employés concernés.

Le service bilingue n'est pas une loterie

Le service des **Douanes** dispose de quelques employés bilingues dans certains bureaux situés près des ponts internationaux de la région de Niagara, en Ontario. Les bilingues ne sont cependant pas assez nombreux, d'autant plus que rien n'indique au public où ils se trouvent. C'est donc plutôt par hasard que les francophones se retrouveront devant l'un d'eux. Les palliatifs s'avèrent inappropriés, car on offre au voyageur qui veut être servi en français de se rendre au poste d'inspection secondaire. Les voyageurs se sentent donc très souvent obligés de s'accommoder de l'anglais. À l'invitation du Ministère, nous avons fait une visite de trois ponts et noté les lacunes du système. Nous avons aussi observé que la signalisation le long des ponts était encore en anglais seulement.

Nous avons recommandé au Ministère de désigner à chaque endroit un poste d'inspection bilingue, d'indiquer très clairement où se trouve ce poste avant que les voyageurs ne se mettent en ligne, et d'intervenir auprès des administrations des ponts pour rendre la signalisation bilingue. Le Ministère a accepté le principe du poste d'inspection bilingue, et un projet pilote doit être mené à un pont de la région de Niagara au cours des mois qui viennent. Il s'est aussi engagé à s'occuper de la signalisation. Nous espérons que ce problème qui dure depuis longtemps sera enfin réglé en 1988.

Plusieurs anglophones du Québec nous ont rapporté que de nombreux bureaux de la **Commission de l'emploi et de l'immigration** dans cette province n'offrent pas activement leurs services en français et en anglais. On sait à quel point il peut être désagréable d'être obligé d'insister pour obtenir des services dans sa propre langue. Suite à nos interventions, la Commission s'est engagée à sensibiliser son personnel au besoin de fournir activement ses services dans les deux langues et à exercer une surveillance accrue. Espérons qu'il nous sera donné de voir sous peu que des améliorations sensibles ont été apportées à ce chapitre, et que les services sont désormais assurés sans accrocs aux deux collectivités de langue officielle.

Caractère intimidant de certaines fonctions

S'il est un moment où on veut pouvoir communiquer dans sa langue avec un représentant de l'État, c'est bien lorsqu'un vérificateur de l'**Impôt** vient scruter nos états financiers. Un francophone de l'Ontario a encore dû insister pour qu'on lui envoie un vérificateur capable de s'exprimer en français. Cette plainte a mis en lumière un problème déjà soulevé auprès du Ministère à plusieurs reprises depuis 1982, soit la très faible capacité bilingue de ses services de recouvrement et de vérification en dehors du Québec. Il n'y a en effet aucun vérificateur bilingue à Halifax, Hamilton, Edmonton et Vancouver, et il n'y en a que deux sur 628 à Toronto. Le Ministère s'est fermement engagé, au moment de sa comparution devant le Comité mixte en novembre dernier, à corriger cette situation. Nous suivrons la chose avec grand intérêt.

Un automobiliste de la Saskatchewan a été interpellé par un agent de la **GRC** et conduit au poste de police. C'est alors qu'il demanda qu'on lui fournisse des explications en français. Le gendarme lui aurait répondu que les formalités risquaient de se compliquer s'il insistait pour qu'on lui parle en français, ajoutant qu'il pourrait bien alors passer la nuit au poste. C'est l'intervention de l'avocat de l'automobiliste qui permit d'éclaircir la situation. En fin d'année, nous attendions les commentaires de la GRC sur ce cas que nous avons l'intention de suivre de très près.

Études menées dans les régions

Nous avons réalisé en 1987 deux études particulières qui nous éclairent sur la disponibilité et la qualité des services dans certaines régions. Voici donc les résultats d'un test mené dans sept villes et d'une étude portant sur l'Île-du-Prince-Édouard.

Services fournis par téléphone : les résultats d'un test

Le Commissariat a testé en fin d'année la qualité des services assurés par téléphone dans 55 bureaux fédéraux. Ce test visait essentiellement à évaluer l'offre et la prestation des services dans les deux langues officielles et ce, dans les villes à « demande importante » comme Winnipeg, Toronto, Sudbury, Pointe-Claire, Sherbrooke, Moncton et Saint-Jean (N.-B.). Nous avons entre autres cherché à nous assurer que l'existence d'un service bilingue ne se limitait pas au seul accueil téléphonique.

De façon générale, nous avons constaté l'existence du service dans la langue de la minorité dans 82,4 p. 100 des cas, pour qui a la patience d'attendre. Mais ce résultat est trompeur, car l'existence généralisée, bien que parfois imparfaite, de services bilingues au Québec vient pondérer les données relatives à la faiblesse des services en français à l'extérieur de cette province. Ainsi, dans des régions bilingues hors du Québec, aucun service n'était assuré en français une fois sur cinq.

Winnipeg vient en tête de liste quant au nombre de demandes en français qui n'ont pu être satisfaites : dans un tiers des cas, le service dans cette langue n'était pas fourni. À Saint-Jean (N.-B.), le service en langue française ne respectait pas la Loi dans 27 p. 100 des cas. Cette proportion passe à 26 p. 100 pour la ville de Toronto.

Il a fallu souvent insister ou attendre pour obtenir le service dans la langue de la minorité. Un seul regard sur les chiffres touchant l'accueil nous en apprend beaucoup : à Toronto par exemple, on a répondu en anglais 13 fois sur 38 ; en outre, la réceptionniste poursuivit en français dans 18 cas et nous nous sommes vus maintes fois invités à utiliser l'anglais. Ailleurs, la proportion des appels auxquels on a répondu initialement dans une seule langue a varié de 22 p. 100 à Winnipeg, Sudbury et Moncton à 60 p. 100 à Sherbrooke ; à Pointe-Claire, dans la région de Montréal, et à St-Jean (N.-B.), nous avons obtenu 53 et 56 p. 100 respectivement.

On le voit, même dans les régions officiellement désignées bilingues aux fins du service au public, ce sont les mêmes problèmes que nous déplorons année après année.

Les services fédéraux à l'Île-du-Prince-Édouard

L'année 1987 a marqué le début d'un nouveau type d'études sur le terrain par le Commissariat visant à mieux comprendre la situation réelle des deux langues officielles dans les régions du pays où se côtoient les communautés francophones et anglophones. À la différence de nos études traditionnelles, qui visent un organisme fédéral donné, l'approche que nous avons adoptée consiste à considérer l'ensemble des services fédéraux dans une région, de même que les besoins précis des usagers de langue officielle minoritaire.

Suite à une demande de la Société Saint-Thomas-d'Aquin, association francophone de l'Île-du-Prince-Édouard, nous avons mis notre nouvelle méthode de travail à l'essai. L'équipe du Commissariat y a étudié 18 organismes fédéraux, et visité les régions acadiennes pour y recueillir les commentaires et les observations de nombreux intervenants du milieu.

Selon les données du recensement de 1986, les citoyens de l'Île-du-Prince-Édouard ayant le français comme langue maternelle constituent 4,1 p. 100 de la population totale (5 155 sur 126 645). Notons par ailleurs que 1 340 personnes ont déclaré avoir le français et l'anglais comme langues maternelles, soit 1,1 p. 100 de l'ensemble de la population. De façon générale, notre étude a révélé qu'en plus d'être rudimentaires, les services fédéraux en français étaient difficilement

accessibles aux principaux foyers francophones de la province, du fait de leur éloignement de la capitale provinciale. Devant cette situation, nous avons préconisé la mise sur pied de plusieurs centres de service fédéral, entièrement bilingues, dans les plus importantes régions francophones de la province, le premier devant être établi dans la région de l'Évangéline qui regroupe 30 p. 100 des personnes de langue maternelle française de l'Île. Le personnel y serait complètement bilingue et aurait reçu au préalable une formation de base dans les programmes et services fédéraux les plus répandus comme l'assurance-chômage, l'emploi, l'impôt sur le revenu et les pensions de retraite. Des lignes téléphoniques sans frais devraient être mises à la disposition du public de toutes les régions de la province et bien annoncées.

Cette solution constituerait l'amorce d'une véritable bilinguisation des services fédéraux. L'idée a d'ailleurs été favorablement accueillie aussi bien par les usagers francophones que par les gestionnaires fédéraux de l'Île. Pour leur part, les organismes centraux auxquels nous avons présenté le projet — Secrétariat du Conseil du Trésor, Secrétariat d'État et Commission de la Fonction publique — se sont montrés intéressés. Reste à ces organismes de passer aux actes.

Réalisations de 1987

Les travaux du Comité mixte permanent des langues officielles, les rapports spéciaux du Commissaire au gouverneur en conseil, et diverses initiatives ministérielles ont particulièrement marqué l'année. Voici quelques exemples :

- En décembre, le président du **Conseil du Trésor** a rendu public un nouveau symbole annonçant l'offre active de services dans les deux langues officielles. Ce symbole sera utilisé en 1988. Nous nous réjouissons de cette initiative qui donne suite à nos demandes répétées, et qui constitue un heureux complément au matériel que le Commissariat met à la disposition des ministères et organismes fédéraux depuis de nombreuses années.

- Au cours de l'année, le **Secrétariat du Conseil du Trésor** a rendu plus exigeantes les conditions d'admissibilité à la prime au bilinguisme. Les nouvelles mesures prévoient que les bénéficiaires de cette prime devront passer des tests de compétence linguistique tous les trois ans, ce qui aura sans doute pour effet d'inciter les titulaires de postes bilingues à utiliser plus souvent leur langue seconde pour éviter les effets de la rouille. Cela influera sans doute sur la qualité du service offert au public dans la langue officielle de la minorité.

- **À Via Rail**, suite à un rapport spécial que nous avons soumis au gouverneur en conseil fin décembre 1986, un déblocage partiel a eu lieu au chapitre des conventions collectives entre la Société et ses employés. En effet, le principe d'ancienneté régissant la dotation des postes est maintenant assorti de considérations d'ordre linguistique en vue du service au public ; l'entente conclue ne s'applique toutefois pas à l'ensemble des postes comportant des

rapports avec les voyageurs. Ainsi les agents de trains relevant du CP de même que ceux du CN mutés à Via Rail en juin 1987 font partie d'un autre syndicat et ne sont pas encore touchés par l'entente. Via Rail se propose de remédier à la situation à l'occasion du renouvellement de la convention collective qui les concerne, convention qui expirera le 31 décembre 1988. Dans l'intervalle, les autorités de Via Rail devront poursuivre vigoureusement leurs efforts afin que les unités de travail possèdent, dans tous les cas où la Loi l'exige, une compétence dans les deux langues officielles permettant une offre active et une prestation de services dans les deux langues officielles.

- Les **Jeux du Canada** ont été dans le passé l'objet de reproches et ont suscité plusieurs plaintes. Cette année, heureusement, les Jeux du Canada au Cap Breton ont connu un succès retentissant tant sur le plan linguistique que sportif. Les quelques plaintes que nous avions reçues avant leur ouverture et qui touchaient l'absence de service aux médias ont été promptement réglées. Les prochains Jeux auront lieu à Saskatoon en 1989, puis à l'Île-du-Prince-Édouard en 1991. À Saskatoon, le Comité organisateur, appuyé par des agents de Condition physique et sport amateur et de notre bureau, ont fort bien tenu compte des exigences d'ordre linguistique, et le bilinguisme semble être en bonne forme. À l'Île-du-Prince-Édouard, les questions linguistiques ont reçu moins d'attention et il faudra faire davantage si l'on tient à égaler ou à surpasser le record du Cap Breton.

- Depuis octobre 1987, le **ministère des Transports** dispense, dans la région d'Ottawa, des services d'information de vol dans les deux langues officielles à l'intention des pilotes. Après bien des années d'attente, cette initiative permet d'espérer des jours encore meilleurs pour le français dans les airs.

- Le **ministère de la Santé nationale et du Bien-être social** a mis à la disposition du public francophone des provinces de l'Ouest des lignes téléphoniques sans frais donnant directement accès à des services en langue française.

- **Environnement Canada** a résolu de recourir systématiquement à la presse minoritaire de langue officielle pour ses annonces. **Pétro-Canada** s'est engagée à faire de même pour ce qui est de sa publicité partout au pays.

Cette liste d'initiatives — et il y en a d'autres — prouve qu'il est certainement possible, sinon toujours facile, de réaliser les objectifs de la Loi.

Les recommandations que nous formulions dans notre rapport annuel de l'an dernier portaient bel et bien sur des problèmes et des situations que nous ne cessons de dénoncer année après année. Il nous tarde donc de voir adopter le projet de loi C-72, car il est impérieux que l'on corrige les insuffisances de la présente législation pour ce qui est des obligations qui incombent à l'administration fédérale en matière de services et des droits du public à cet égard. Les règlements du gouverneur en conseil qui en découleront devraient avoir pour objet de permettre

aux deux communautés de langue officielle de bénéficier pleinement des services auxquels elles ont droit.

Il est en outre clair pour nous qu'aucune amélioration sensible du service au public dans les deux langues officielles ne sera possible tant que le gouvernement ne précisera pas ses lignes de conduite en la matière et surtout ne se donnera pas les moyens d'en assurer la mise en œuvre. À cet égard, nous nous réjouissons du fait que le Secrétariat du Conseil du Trésor a pris des mesures préliminaires afin de donner suite à trois de nos recommandations de l'an dernier, soit celle portant sur la définition de la « demande importante » et de la « vocation du bureau », celle ayant trait à l'offre active et, enfin, celle demandant l'élimination du niveau élémentaire (A) de connaissance linguistique pour les postes de service au public. Nous réitérons nos recommandations de l'an dernier qui méritent une attention accrue (surtout à la lumière du projet de loi C-72) et nous en ajoutons une.

Recommandations

Nous recommandons au gouvernement :

- **de mettre en vigueur dans les meilleurs délais après l'adoption de la nouvelle loi une réglementation généreuse et simple d'application qui tienne compte de la demande réelle et potentielle, de la vocation des bureaux et du fait que, dans plusieurs régions, le public attend depuis longtemps le respect de ses droits linguistiques ;**
- **de s'assurer que, d'ici deux ans, chaque bureau fournissant des services à une minorité de langue officielle compte en tout temps au moins un employé pleinement bilingue (niveau C) afin de pouvoir traiter convenablement les cas complexes ;**
- **de prendre des mesures concrètes en vue d'améliorer l'offre active, visuelle et verbale, et l'accessibilité des services dans les deux langues officielles dans les régions ;**
- **d'éliminer, d'ici deux ans, le niveau élémentaire (A) de connaissance linguistique pour la plupart des postes de service au public ;**
- **d'émettre des directives touchant le recours aux médias de langue officielle et d'en assurer la mise en œuvre au moyen de contrôles efficaces ;**
- **d'adopter des mesures de contrôle plus rigoureuses afin que les arrangements administratifs, mis en place de façon temporaire par les ministères fédéraux pour compenser le manque de bilinguisme de certains employés occupant des postes bilingues, soient plus efficaces.**

La pleine participation : la loi de l'équilibre

Le principe de la pleine participation des deux groupes de langue officielle au sein des ministères et organismes fédéraux découle de l'égalité de statut et de privilèges proclamée dans la loi de 1969. Il fait partie de la politique officielle du gouvernement depuis l'adoption de la Résolution parlementaire de 1973, qui formulait l'objectif général d'« assurer, dans le cadre du principe du mérite, la pleine participation des membres des collectivités francophone et anglophone ». Il manquait cependant à cette politique une base juridique, ainsi que la reconnaissance du fait que la pleine participation est plus qu'une simple affaire de nombres et de pourcentages des deux groupes au sein des divers ministères. Cette lacune sera corrigée en partie lorsque la nouvelle loi sur les langues officielles (projet de loi C-72), actuellement devant le Parlement, sera adoptée.

Vue d'ensemble

Les données les plus récentes indiquent que la participation globale des francophones et des anglophones au sein de la Fonction publique se situe à environ 28 et 72 p. 100 respectivement. Le seuil critique a donc été atteint. Il reste au gouvernement à faire preuve de vigilance pour s'assurer que cet équilibre global se maintienne.

Ces données d'ensemble masquent cependant de sérieux déséquilibres sectoriels et régionaux : les francophones demeurent sous-représentés dans les importantes catégories Gestion et Scientifiques et spécialistes, ainsi qu'au Nouveau-Brunswick et dans les régions bilingues de l'Ontario ; les anglophones, pour leur part, sont sous-représentés au sein de la catégorie Soutien administratif dans la région de la Capitale nationale, ainsi que dans les établissements fédéraux au Québec. Il faudra toutefois s'assurer que l'on ne crée pas de nouveaux déséquilibres en tentant de corriger ceux-ci.

Dans les pages qui suivent, nous analysons ces déséquilibres sectoriels et régionaux, et nous indiquons les correctifs qui s'imposent ou ceux que certains ministères et organismes ont déjà adoptés.

Les déséquilibres sectoriels

Des déséquilibres persistent à divers échelons de la Fonction publique. Il est particulièrement troublant d'observer que, si la participation des francophones est déficiente au niveau de la direction, elle l'est davantage encore dans les deux groupes où l'on recrute justement les membres de la direction.

Tableau II.1

Participation des francophones et des anglophones aux échelons supérieurs de la Fonction publique, 1986

	Francophones		Anglophones	
	Nombre	%	Nombre	%
Direction (EX)	536	21,3	1 985	78,7
Gestion supérieure (SM)	375	19,5	1 546	80,5
Agents supérieurs (un échelon au-dessous de SM)	1 500	18,3	6 699	81,7

Source : Commission de la Fonction publique, 1987.

C'est seulement à trois échelons au-dessous du groupe de la direction que le pourcentage des francophones commence à se rapprocher de la proportion nationale (23,7 p. 100). Jusqu'à un certain point, la faible présence des francophones aux niveaux de la gestion supérieure et à celui immédiatement au-dessous reflète probablement leur sous-représentation dans la catégorie Scientifiques et spécialistes. La Commission de la Fonction publique devrait selon nous entreprendre une étude sur les causes de cette participation francophone lacunaire dans les « groupes de réserve », ce qui fournirait un solide point de départ pour résoudre ce problème.

Les données sur le recrutement hors de la Fonction publique (autrement que par arrêté-en-conseil) sont à peine plus rassurantes. Dans les six premiers mois de l'année, 9 des 45 membres de la direction et de la gestion supérieure ainsi recrutés (20 p. 100) étaient francophones, un taux de recrutement tout juste bon à maintenir le statu quo. Encore une fois, cependant, les pourcentages peuvent être trompeurs : il n'aurait fallu que trois ou quatre francophones de plus pour atteindre le cap « magique » des 25 p. 100, et quelques-uns de plus pour commencer à redresser l'équilibre.

La Commission de la Fonction publique a néanmoins marqué d'importants progrès en effectuant le recensement des candidats francophones ayant les compétences voulues pour accéder à des postes de direction. Deux de ses programmes de développement, le Bureau de présentation et d'orientation professionnelle des femmes et le programme des Cours et affectations de perfectionnement (CAP), sont à la source d'environ un cinquième de toutes les nominations aux deux échelons supérieurs (direction et gestion supérieure). Le Bureau est parvenu à hausser la proportion des francophones dans ses dossiers d'un cinquième à un

tiers, tandis que le programme CAP maintient un taux de participation francophone de 35 p. 100 depuis quatre ans.

La catégorie Soutien administratif

Si la participation des francophones s'avère insuffisante dans plusieurs secteurs de la main-d'œuvre fédérale, le cas contraire se présente également. Ainsi, les anglophones sont manifestement sous-représentés dans la catégorie Soutien administratif (66,6 p. 100). Ce déséquilibre s'explique en partie par le fait que 36,2 p. 100 des 69 000 employés de cette catégorie -- qui sont en général recrutés localement — travaillent dans la région de la Capitale nationale, où l'on compte 35 p. 100 de francophones, et qu'un autre groupe de 14 p. 100 œuvre au Québec, où la population francophone dépasse les 80 p. 100. Qui plus est, de nombreux postes de cette catégorie comportent la prestation de services au public dans les deux langues ; or les francophones demeurent, en général, plus couramment bilingues que les anglophones. Il faudrait pourtant adopter dans un délai raisonnable des mesures correctives rigoureuses là où les déséquilibres sont le plus prononcés : notamment à l'Agence canadienne de développement international, au Conseil de la radiodiffusion et des télécommunications canadiennes, à la Commission de la Fonction publique et au Secrétariat d'État, où le taux de participation des anglophones se situe à 35 p. 100 ou moins.

Les déséquilibres régionaux

Comme nous l'avons déjà noté, le taux de participation des anglophones dans la Fonction publique fédérale au Québec n'a cessé de diminuer d'une année à l'autre, pour atteindre un niveau inacceptable. En janvier 1987, le Commissaire a soumis un rapport spécial au gouverneur en conseil dans lequel il demandait une intervention énergique pour éviter que cette tendance ne devienne irréversible. De 12,6 p. 100 où elle se situait en 1976, la participation des anglophones est tombée à 5,5 p. 100 en juin 1987, alors que plus de 10 p. 100 de la population du Québec est de langue maternelle anglaise. Les efforts déployés en vue de freiner la baisse du nombre d'anglophones dans les postes d'agents ont connu un certain succès, mais la situation demeure extrêmement préoccupante dans les catégories Soutien administratif et Exploitation, qui regroupent plus de la moitié des 31 000 fonctionnaires fédéraux au Québec : les anglophones n'y occupent que 3,2 p. 100 de tous les postes. En réponse au rapport du Commissaire, le Secrétariat du Conseil du Trésor — qui, il faut bien le noter, a tenté de diverses façons de remédier à la situation au cours des quatre dernières années — a créé un comité réunissant des représentants des principaux ministères concernés et de la communauté anglophone. Ce comité s'est doté d'un plan d'action en neuf points qui propose notamment de sensibiliser les gestionnaires au problème afin qu'ils apportent les correctifs nécessaires ; d'entretenir des rapports plus étroits avec la communauté anglophone et ses établissements d'enseignement ; et de réviser les exigences linguistiques des postes bilingues et des postes de premier échelon. Le comité entend se réunir au milieu et à la fin de 1988 pour évaluer les progrès accomplis. Nous comptons également suivre de très près la situation, particulièrement au cours de l'année qui vient.

Si c'est au Québec que la situation est le plus alarmante, les autres régions bilingues accusent aussi d'importants déséquilibres. Au Nouveau-Brunswick, où le tiers de la population est francophone, les employés de langue maternelle française ne détiennent que 28,6 p. 100 des emplois dans la Fonction publique fédérale. Même chose dans les régions bilingues de l'Ontario : 23,1 p. 100 des postes étaient détenus par des francophones en 1986, alors qu'ils représentent près du tiers de la population. Nous avons donc demandé au Conseil du Trésor d'effectuer une étude sur la participation des francophones dans les régions bilingues à l'extérieur du Québec, et de présenter des propositions précises pour remédier à la situation. À cet effet, il pourrait par exemple établir un comité semblable à celui dont nous parlions plus haut. Au moment où nous écrivons ces lignes, le Conseil étudie toujours la question.

Les comités consultatifs

Nous avons vu en 1987 que des mesures administratives énergiques pouvaient réellement produire des résultats concrets. Par exemple, au ministère de l'Énergie, des Mines et des Ressources, la participation francophone est passée d'un faible taux de 10,9 p. 100 à un niveau plus respectable de 15,6 p. 100, sans que cela nuise pour autant au recrutement et à la promotion des anglophones. On est arrivé à ce résultat en appliquant de façon vigoureuse les recommandations d'un comité consultatif sur la participation équitable créé à la demande du ministre. Ce comité avait fixé, pour les catégories Gestion et Scientifiques et spécialistes, des objectifs à moyen et à long termes fondés sur la présence relative des francophones et des anglophones au sein de la population canadienne, et proposé un train de mesures concrètes pour atteindre ces objectifs. Par exemple, il fut décidé que, pour chaque vacance à combler dans ces catégories, l'on serait tenu de trouver un nombre suffisant de candidats francophones qualifiés — et de les interviewer en français — afin de s'assurer que le principe du mérite soit pleinement respecté. On a reconnu par ailleurs que la pleine participation aux échelons les plus élevés du Ministère ne serait jamais réalisée à moins que le français ne devienne une langue de travail courante : on a donc également fixé des objectifs à cet égard. Depuis, l'Office national de l'énergie, la Commission de contrôle de l'énergie atomique et Pétro-Canada ont établi de tels comités, mais il est encore trop tôt pour vérifier s'il y a eu progrès ou non.

La science en français

Les organismes cités ci-dessus comptent tous des secteurs scientifiques considérables. Or comme le Commissaire l'a souligné dans une allocution devant l'Association canadienne-française pour l'avancement des sciences, assurer l'avenir du français comme langue de la science constitue un élément important de la relance du programme des langues officielles au Canada. La catégorie Scientifiques et spécialistes est loin d'être négligeable : elle compte 23 000 employés, soit quelque 10 p. 100 de l'ensemble des fonctionnaires. Comme le gouvernement fédéral est le plus grand employeur de scientifiques au pays, il

exerce nécessairement une forte influence sur le reste de la communauté scientifique. Globalement, la participation des francophones dans cette catégorie se situe à 21,9 p. 100 ; mais elle n'est que de 13 p. 100 au sein du Conseil national de la recherche, et plus faible encore à Pétro-Canada et dans certains autres organismes.

Si l'anglais domine dans les échanges scientifiques sur le plan international, cela n'empêche pas qu'on puisse augmenter la participation des francophones dans la Fonction publique, ainsi que l'usage du français comme langue scientifique. Une des solutions consiste à créer des « centres d'excellence » où la plus grande partie du travail peut se faire en français ; l'Institut Maurice-Lamontagne de Sainte-Flavie (Québec), qui a ouvert ses portes en juin 1987, en constitue un très bon exemple. Créé par le ministère des Pêches et Océans, cet institut effectue des recherches dans les domaines de l'hydrographie, de l'océanographie et des pêches ; son effectif devrait atteindre quelque 200 employés qui travailleront tous en français. Il est encore trop tôt pour évaluer la portée d'une telle initiative, mais elle nous apparaît des plus prometteuses.

Vers une plus grande équité

Pour conclure, on peut dire que si les déséquilibres sectoriels et régionaux persistent depuis fort longtemps, il y a tout de même quelques lueurs d'espoir. Par exemple, le Secrétariat du Conseil du Trésor a donné suite à trois des recommandations contenues dans notre Rapport annuel 1986 au sujet des protocoles d'entente, de la dotation des postes de direction et de la participation des anglophones au Québec. L'adoption du projet de loi C-72 et les nouveaux pouvoirs qui seront conférés au Conseil du Trésor (voir partie I et annexe B) permettront vraisemblablement d'atteindre une plus grande équité en matière de participation, quoique les restrictions touchant l'embauche réduiront nécessairement la liberté d'action. Il reste néanmoins que des interventions énergiques de la part de l'administration, appuyées par une volonté politique ferme, peuvent amener des progrès importants.

Recommandations

Compte tenu des constatations qui précèdent, nous formulons les recommandations qui suivent :

- **Le gouvernement devrait analyser la participation des francophones et des anglophones au sein de tout l'appareil fédéral dans le but d'assurer une meilleure planification des ressources humaines. Cette planification devrait tenir compte de la mobilité et du roulement du personnel ainsi que de sa distribution par groupes d'âge et par région.**
- **Les ministères et les sociétés d'État où les taux de participation accusent de graves déséquilibres devraient créer des comités ad hoc et préparer des plans d'action en cette matière.**

La langue de travail : si l'on veut, l'on peut

Des trois grands volets de la politique linguistique fédérale, la langue de travail est sans conteste celui qui pose le plus de difficultés. Cet aspect de la réforme — qui se fonde sur l'article 2 de la *Loi sur les langues officielles* ainsi que sur la Résolution parlementaire de 1973 — consiste à donner aux fonctionnaires fédéraux des régions bilingues la possibilité de travailler dans leur langue officielle d'élection. Pourtant, le français n'est pas près de s'imposer comme langue de travail dans la région de la Capitale nationale et dans les régions bilingues hors du Québec, pas plus que l'anglais dans les ministères et organismes fédéraux situés dans les régions bilingues du Québec.

De toute évidence, l'employé qui travaille dans sa langue est plus efficace et plus productif. Conséquemment, un régime linguistique valable contribue à la fois à améliorer les conditions de travail, à accroître la qualité de la langue parlée et écrite, et à faire de la Fonction publique un milieu de travail plus attrayant pour les membres des deux collectivités linguistiques. En ce sens, la langue de travail joue sans doute un rôle de premier plan dans la réforme du régime linguistique.

Cette année encore, les vérifications, les études et les plaintes confirment l'idée que le char de l'État avance lentement. En effet, malgré certaines initiatives prometteuses de la part des organismes centraux et de certains autres ministères et organismes, l'équilibre linguistique n'a guère progressé au sein de l'administration fédérale.

Les vérifications donnent le ton

Les vérifications et suivis effectués en 1987 montrent que c'est le niveau de compétence en langue seconde des surveillants censément bilingues, dans les régions bilingues, qui constitue le principal obstacle à l'égalité linguistique au travail. Les francophones affirment qu'ils hésitent à communiquer en français avec leurs surveillants anglophones, alléguant, à tort ou à raison, que ces derniers ne possèdent pas suffisamment le français. À un degré moindre, les fonctionnaires anglophones au Québec ont commencé à se heurter au même problème au cours des dix dernières années. Cette situation est d'autant plus troublante que, dans la région de la Capitale nationale et au Québec, près de 50 p. 100 des employés

et 80 p. 100 des surveillants sont considérés comme bilingues et reçoivent une prime en conséquence.

À Ottawa, à l'administration centrale de nombreux ministères et organismes, l'anglais demeure la langue de travail presque exclusive de la plupart des comités directeurs et, en général, les réunions aux échelons inférieurs se tiennent dans cette langue uniquement. Si les manuels administratifs d'usage courant sont habituellement disponibles dans les deux langues, les autres documents de travail — notes de service, organigrammes, imprimés d'ordinateurs, rapports financiers, plans de travail, directives, statistiques, etc. — portent encore trop souvent la mention « version française à suivre ». Dans plusieurs secteurs scientifiques et techniques, même les documents de référence les plus courants n'existent qu'en anglais, tout simplement parce que les autorités n'exigent pas des fournisseurs une documentation dans les deux langues officielles.

Les résultats d'une étude menée auprès de la direction des communications de cinq ministères et organismes fédéraux dans la région de la Capitale nationale montrent que, même dans le secteur des relations publiques, où les francophones représentent en moyenne 40 p. 100 de l'effectif, les documents urgents sont préparés en anglais plus souvent qu'autrement. Si quelque 30 p. 100 des allocutions et autres textes du genre sont rédigés en français — une nette amélioration par rapport aux années précédentes —, entre 5 et 20 p. 100 seulement des communiqués sont préparés en français. La pratique courante, même chez les francophones, est de les rédiger en anglais, puis de les faire traduire. Tout porte à croire que, dans le feu du combat, le droit d'un employé de travailler dans sa langue devient tout à fait secondaire.

On ne s'est guère efforcé en 1987 de donner suite au concept de l'« obligation civique réciproque » que nous avions mis de l'avant dans notre rapport annuel de 1985 et repris dans celui de l'année dernière. En vertu de ce concept, les surveillants bilingues de la région de la Capitale nationale et des régions bilingues hors du Québec s'engageraient à encourager de façon active l'usage du français et à créer un milieu propice à cet effet. Les surveillants des régions bilingues du Québec seraient tenus de faire de même pour l'anglais. L'obligation correspondante pour les employés de langue minoritaire serait, tout simplement, de prendre l'habitude de travailler dans leur langue. Ce concept, s'il était mis en pratique, contribuerait à redonner à l'anglais la place qui lui revient dans les régions bilingues du Québec. Ailleurs, les anglophones auraient la possibilité d'améliorer leur compétence en français, et les francophones celle de travailler dans leur langue : ainsi l'usage du français deviendrait progressivement plus conforme à son statut de langue officielle. Qui plus est, son utilité et son prestige sur la scène nationale et internationale seraient davantage reconnus.

Les plaintes : des instruments de la réforme

Les plaintes jouent un rôle de premier plan dans la protection des droits linguistiques. En effet, à une plainte donnée correspondent souvent des douzaines,

voire des centaines d'autres plaintes jamais formulées. Le règlement équitable d'un grief bénéficie donc non seulement au plaignant, mais à l'ensemble de la collectivité. Nous avons reçu cette année 248 plaintes touchant la langue de travail, soit à peu près le même nombre que l'an dernier. Les exemples suivants témoignent des obstacles systémiques à l'égalité linguistique en milieu de travail, et des solutions que le suivi d'une plainte peut engendrer.

Les services centraux et du personnel

Une employée francophone du ministère des Affaires extérieures a été incapable de se faire servir dans sa langue par le Secteur de la rémunération et des avantages sociaux de la Direction de la rémunération et des indemnités : le commis responsable de son dossier était unilingue anglophone. Notre vérification a révélé ce qui suit : d'abord, bien que ce secteur comptait quelques employés bilingues, la répartition du travail ne tenait aucunement compte des préférences linguistiques des employés ; de plus, 6 des 14 employés ne satisfaisaient pas aux exigences linguistiques de leur poste ; la Direction ne possédait aucune donnée sur les préférences linguistiques des employés, et communiquait généralement avec eux en anglais seulement ; les mesures administratives visant à assurer un service en français étaient nettement insuffisantes ; et enfin, les francophones de plusieurs groupes professionnels étaient obligés soit de s'exprimer en anglais, soit de traiter avec un membre du personnel qui n'avait pas nécessairement une bonne connaissance de leur dossier.

Le Ministère ne s'est guère fait prier pour mettre de l'avant des solutions à court et à long termes. Il a rappelé au personnel concerné que les communications écrites avec les employés devaient se faire dans leur langue officielle d'élection, et que les messages destinés à l'ensemble du personnel devaient être rédigés dans les deux langues. Soucieux d'assurer un service bilingue dans tous les secteurs, le Ministère a l'intention de muter certains préposés à la paie. S'il est impossible de trouver rapidement un commis bilingue, le service en français sera provisoirement assuré par un autre employé. Comme solution à long terme, le Ministère a décidé de combler les éventuelles vacances dans ce secteur par des employés linguistiquement qualifiés. Cinq employés ont déjà commencé leur formation linguistique, et deux postes « anglais essentiel » ont été désignés bilingues. Bref, les employés francophones du Ministère ont maintenant accès à des services dans leur langue. Nous effectuerons un suivi en 1988, histoire de vérifier si tout va bien.

Le surveillant sous surveillance

Une employée anglophone de la Direction de la gestion financière de l'Agence canadienne de développement international (ACDI) nous a avisé qu'elle était tenue d'effectuer certaines de ses tâches en français, alors qu'elle occupait un poste « anglais essentiel ». En outre, elle était encadrée en français, et craignait de perdre son emploi parce que les exigences linguistiques de son poste devaient être modifiées. Le problème a été résolu lorsqu'elle a passé avec succès un test linguistique : elle a été mutée à un poste bilingue où la surveillance est assurée dans sa langue. Voilà un cas où la direction a pu satisfaire à ses besoins linguistiques et opérationnels sans pénaliser l'employée pour autant.

Cependant, notre vérification a mis en lumière plusieurs autres problèmes liés à la langue de travail : des surveillants tenaient des réunions en français seulement malgré la présence d'anglophones, et les directives à l'intention du personnel étaient rédigées dans une seule langue (le français ou l'anglais, selon les cas). Nous avons recommandé à l'ACDI de veiller à ce que les surveillants respectent les droits linguistiques de leurs subordonnés, et de faire en sorte que tous les employés soient encadrés dans leur langue d'élection. L'Agence a rapidement donné suite à notre première recommandation en tenant des séances d'information destinées à sensibiliser les surveillants à leurs obligations en matière de langues officielles. En outre, elle a entrepris de passer en revue tous les documents de travail afin de s'assurer de leur disponibilité dans les deux langues. Nous nous pencherons sur la mise en œuvre de la seconde recommandation au début de l'année 1988.

La formation professionnelle

Une recrue de la Gendarmerie royale du Canada s'est plainte du fait que l'équipe de gendarmes spéciaux dont elle était membre avait reçu sa formation de base en anglais seulement, alors que 28 des 32 stagiaires étaient francophones. Notre enquête ayant confirmé ce fait, nous avons recommandé à la GRC de vérifier systématiquement les préférences linguistiques des recrues avant le début de la formation, de sorte que celle-ci ait lieu dans leur langue officielle d'élection. L'organisme a reconnu son erreur et accepté de donner suite à notre recommandation.

Un effet d'entraînement

Une plainte qui, à prime abord, semble concerner exclusivement la langue de service peut parfois avoir d'importantes répercussions sur le plan de la langue de travail, et aboutir à de nettes améliorations dans les deux domaines. Ainsi, un membre de la Chambre de commerce de Caraquet nous a écrit au sujet de la nomination du commandant du détachement local de la GRC. Selon le plaignant, le poste exige un niveau de compétence linguistique supérieur plutôt qu'intermédiaire, et pourtant on s'apprêtait à y nommer un unilingue anglophone. Cinq autres plaintes nous ont été adressées à ce sujet. Notre enquête ayant révélé que le candidat ne possédait qu'une compétence intermédiaire en langue seconde, nous avons rappelé à la GRC que les francophones représentaient 95 p. 100 de la population de la région de Caraquet, et que les relations publiques constituaient l'une des principales fonctions du commandant.

Cette plainte touchait également au problème de la langue de travail : en effet, tous les postes de la GRC dans la région de Caraquet étaient occupés par des francophones, qui ont le droit d'être encadrés dans leur langue. Nous avons donc exprimé l'avis que le titulaire du poste devait posséder un niveau de compétence supérieur en langue seconde. Nous avons aussi fait valoir à la GRC que le cas de Caraquet témoignait de la nécessité de redresser le niveau de compétence de plusieurs postes au Nouveau-Brunswick, notammment ceux des commandants de détachement dans les régions où la proportion de francophones est élevée. Nous lui avons donc recommandé de réévaluer les exigences linguistiques de ces postes afin d'éviter que la situation ne se reproduise. La GRC a d'abord refusé de se

rendre à nos raisons mais, avec le temps, elle a cédé à nos pressions : elle a nommé un nouveau commandant possédant un niveau de connaissance supérieur de la langue seconde.

Pleins feux sur le Nouveau-Brunswick

Province officiellement bilingue, le Nouveau-Brunswick compte une importante collectivité francophone. En 1987, nous avons entrepris une vaste enquête sur les habitudes linguistiques de quelque 3 000 fonctionnaires au sein de 15 ministères fédéraux établis dans la province. Cette enquête visait les anglophones occupant des postes bilingues et l'ensemble des employés francophones. Le taux de réponse a été de 82,5 p. 100.

Interrogés sur leurs compétences linguistiques, 40 p. 100 des répondants anglophones titulaires de postes bilingues ont affirmé s'exprimer difficilement, voire pas du tout en français. Cependant, 72 p. 100 d'entre eux ont déclaré n'avoir aucun mal à comprendre cette langue. Les répondants francophones, par contre, ont dit n'avoir aucune difficulté à s'exprimer dans les deux langues officielles. Ces données confirment les résultats des tests linguistiques : 65 p. 100 des francophones ont déclaré avoir atteint le niveau de compétence supérieur (niveau C) ou être exemptés, comparativement à 30 p. 100 de leurs collègues d'expression anglaise.

En général, les données recueillies sur l'usage du français en milieu de travail étaient décevantes. Tous les répondants ont déclaré travailler surtout en anglais. Dans leurs communications avec leurs collègues et subordonnés francophones, les anglophones recourent à l'anglais dans 72 p. 100 des cas, tandis que les francophones, dans la situation inverse, utilisent l'anglais dans 90 p. 100 des cas.

Des solutions sur mesure

On a demandé aux répondants d'indiquer les obstacles personnels et organisationnels qui entravent l'usage de leur langue au travail, et de proposer des solutions. Francophones et anglophones s'entendent sur les principales mesures à adopter :

- un plus grand nombre d'employés devraient être en mesure de comprendre leur langue seconde et de la lire ;
- les surveillants bilingues devraient être évalués en fonction de leur capacité de créer un milieu de travail propice à l'égalité linguistique ;
- les employés qui travaillent depuis longtemps dans leur langue seconde devraient suivre un cours de recyclage dans leur langue maternelle.

La prochaine étape

Il nous reste encore bien du pain sur la planche. Ainsi, nous effectuerons des analyses distinctes des obstacles à l'égalité linguistique et des façons de les surmonter chez les francophones et chez les anglophones bilingues, et nous en étudierons les conséquences sur le milieu de travail au sein des divers groupes professionnels. Ces analyses contribueront à mettre en lumière les conditions propices à l'usage du français chez les fonctionnaires des deux groupes linguistiques.

Tableau d'honneur

Si l'année 1987 a vu peu de progrès en ce qui touche l'équilibre linguistique en milieu de travail, certaines initiatives valent néanmoins d'être soulignées.

Le **Comité mixte permanent des langues officielles** a continué de s'intéresser activement à la question. Dans son quatrième rapport, il a recommandé l'adoption de mesures d'incitation exceptionnelles afin d'encourager les anglophones bilingues et les francophones à travailler en français, et incité le Conseil du Trésor à montrer la voie en cette matière. Ce dernier a répondu que la partie V du projet de loi sur les langues officielles précisait la politique du gouvernement en matière de langue de travail, mais qu'il comptait néanmoins lancer une série de projets au sein de quelques ministères de la région de la Capitale nationale afin de mettre au point une réglementation adéquate en ce domaine.

Notre rapport spécial au gouverneur en conseil sur la sous-utilisation du français au quartier général de la **Défense nationale** commence également à porter ses fruits : le ministre responsable et la haute direction se sont en effet engagés à harmoniser les obligations linguistiques et les objectifs opérationnels. À cet effet, le Ministère a créé un Comité directeur des langues officielles qui sera chargé de mettre en œuvre de nouvelles initiatives. Par ailleurs, étant donné le retard à rattraper en matière de traduction, notamment en ce qui a trait aux manuels techniques, le Conseil du Trésor a autorisé le Ministère à employer davantage de traducteurs. Enfin, les appels d'offres pour l'achat de nouveau matériel comprendront dorénavant une disposition obligeant les fournisseurs à livrer une documentation bilingue avant la tenue des premières séances de formation.

Le français, langue scientifique

En général, la science « s'écrit » en anglais. Même lorsque des scientifiques canadiens font du français leur langue de travail, les résultats sont fréquemment publiés en anglais dans des revues américaines à large diffusion. Dans une allocution prononcée devant l'Association canadienne-française pour l'avancement des sciences, le Commissaire a lancé un appel aux gouvernements de la francophonie, les exhortant à promouvoir l'usage du français dans le secteur de la science. Il a également souligné qu'il faudrait créer des revues scientifiques de langue française de haut niveau, et s'exprimer davantage en français lors de conférences ou de colloques, en recourant au besoin à l'interprétation simultanée vers l'anglais.

Le **Secrétariat du Conseil du Trésor** a consenti à mettre sur pied un comité de cadres supérieurs chargé de programmes scientifiques et technologiques, qui aura à étudier les propositions du Commissaire. Ce comité examinera notamment les moyens de créer un milieu de travail plus propice à l'usage des deux langues officielles, ainsi que les mesures que pourrait adopter le gouvernement pour promouvoir le français dans les milieux scientifique et technologique, tant au pays qu'à l'étranger. Un cadre du Commissariat sera présent à titre d'observateur au sein de ce comité, dont le rapport est attendu en avril 1988.

Nous accordons une mention honorable au **Service canadien du renseignement de sécurité** qui a finalement pris les mesures nécessaires pour que les télex

échangés entre l'administration centrale et la région du Québec soient rédigés en français ou dans les deux langues, plutôt qu'en anglais seulement. La **Banque du Canada** mérite également d'être félicitée pour l'organisation de « journées francophones » qui permettent à tous les employés de travailler en français, et pour l'établissement d'un programme d'échanges grâce auquel les employés peuvent travailler pendant quelques semaines dans des secteurs où leur langue seconde domine.

Le suivi effectué à l'administration centrale des **Affaires extérieures** a révélé que le Ministère avait donné suite à plusieurs des recommandations de nos vérifications de 1983 et de 1985. L'usage du français est plus courant dans les réunions de la haute direction, ainsi que dans les communications écrites et orales. Le Ministère a également démontré que les fournisseurs ne ménageront aucun effort pour répondre aux besoins d'un client, à condition que celui-ci les exprime. Principal usager du micro-ordinateur de fabrication canadienne JLS, le Ministère était bien placé pour influer sur le développement de l'appareil. Son intervention auprès du fournisseur a effectivement abouti à la fabrication d'un micro-ordinateur véritablement bilingue, le Janus ; celui-ci peut en effet afficher toutes les lettres majuscules et minuscules accentuées et ce, sans perte de vitesse ou de capacité de la mémoire. Le Ministère peut donc s'enorgueillir d'avoir joué un rôle de premier plan dans le perfectionnement d'un système informatique bilingue.

Le **ministère de la Justice** a déployé de nombreux efforts pour redresser la compétence linguistique de ses surveillants. Ainsi, ils sont maintenant 158 sur 186 (85 p. 100) à répondre aux exigences de leur poste, comparativement à 78 p. 100 l'année dernière. Soulignons en outre que 46 p. 100 de ces postes exigent un niveau de compétence supérieur en langue seconde. Par ailleurs, le sous-ministre a demandé que la documentation destinée aux réunions du Comité directeur et de ses sous-comités soit diffusée dans les deux langues, et on a entrepris de dresser l'inventaire des instruments de travail afin de s'assurer qu'ils soient disponibles dans les deux langues.

Avec l'adoption du projet de loi C-72, la politique fédérale touchant la langue de travail deviendra un droit garanti par la Loi, ce qui marquera un tournant dans l'histoire de la réforme linguistique. Serons-nous en mesure de relever le défi ? En 1982, une étude sur la langue de travail effectuée par le Commissariat affirmait que des directives générales ne sauraient remédier à la situation : seule la mise en œuvre soutenue de mesures précises et énergiques parviendrait à rétablir l'équilibre linguistique en milieu de travail. Cette affirmation tient toujours. Le Conseil du Trésor doit montrer la voie en effectuant des études approfondies sur les obstacles à l'égalité linguistique et sur les façons de promouvoir la langue minoritaire en milieu de travail. Cela pourrait se faire en partie dans le cadre du sondage sur la langue de travail que le Conseil, semble-t-il, entend effectuer de nouveau l'année prochaine.

À la lumière des dispositions du projet de loi C-72, nous jugeons opportun de renouveler deux recommandations mises de l'avant dans notre rapport annuel de 1986 et d'en formuler deux nouvelles.

Recommandations

- **Dans les régions bilingues et aux administrations centrales, les réunions de la haute direction devraient se dérouler dans les deux langues, et la présidence devrait être confiée de préférence à la personne bilingue occupant le poste le plus élevé.**
- **Les divers aspects du problème de la langue de travail — encadrement bilingue, tenue des réunions, évaluations du rendement, etc. — devraient faire l'objet d'un programme de formation.**
- **Les fonctionnaires de langue minoritaire, francophones ou anglophones, dont le lieu de travail se trouve dans une région bilingue, devraient utiliser normalement leur propre langue sous réserve des obligations linguistiques de leurs fonctions, et être incités à le faire par leurs supérieurs hiérarchiques.**
- **Le Conseil du Trésor devrait effectuer des études exhaustives sur les obstacles à l'égalité linguistique en milieu de travail afin de définir des moyens efficaces de les surmonter.**

PARTIE III

Évaluation : l'égalité dans les institutions

Cinquante musiciens : souvent sans chef d'orchestre

Dans les pages qui suivent, nous examinons les réalisations et les faiblesses de 50 ministères et organismes fédéraux choisis en fonction de l'ampleur ou de la nature des services qu'ils fournissent, et de leur importance au sein de l'appareil gouvernemental. Ce choix varie d'une année à l'autre. Cependant, les organismes que nous avons exclus de notre analyse n'ont pas échappé pour autant à notre vigilance. Notre appréciation de leur comportement linguistique figurera dans un prochain rapport. Les ministères et organismes marqués d'un astérisque ont fait l'objet d'une vérification ou d'un suivi en 1987. Nos évaluations reposent également sur les comptes rendus des comparutions de 21 d'entre eux devant le Comité mixte permanent des langues officielles.

Chaque portrait débute par une évaluation globale où l'on souligne les progrès ou le recul de l'organisme au cours de l'année 1987 par rapport à un point de référence donné, qui peut être une vérification ou une évaluation effectuée par suite d'une plainte reçue à nos bureaux. Suivent des indications sur le rendement de l'organisme en ce qui touche les trois composantes de l'égalité linguistique : le service au public, la langue de travail et la pleine participation.

Rappelons que, sauf exception, le service au public doit être non seulement assuré mais aussi offert activement dans les deux langues. En matière de langue de travail, nos observations portent sur l'usage des deux langues au sein même des organismes fédéraux dans les régions bilingues du pays. Ont-elles chacune la place qui leur revient ? Les employés ont-ils la liberté d'accomplir leurs tâches en français ou en anglais, et bénéficient-ils, par exemple, des services internes et de la formation dans leur langue officielle d'élection ? En ce qui a trait à la pleine participation, il s'agit de s'assurer que la composition du personnel des organismes fédéraux est représentative de celle des deux communautés de langue officielle. Chacune de nos analyses se termine par des remarques sur la gestion du programme des langues officielles et un bref relevé des plaintes déposées contre l'organisme.

Notre objectif premier est d'aider le ministère ou l'organisme concerné à s'améliorer. Nous espérons aussi que ces renseignements seront utiles aux parlementaires en quête d'information, et que les responsables de l'application

de la *Loi sur les langues officielles* y trouveront une incitation à pousser encore plus loin leur action ; cette analyse devrait les convaincre de tout mettre en œuvre pour lever les obstacles auxquels se heurtent les contribuables, dans leurs rapports avec l'État fédéral, ainsi que le personnel des organismes gouvernementaux. Comme vous le verrez, plusieurs d'entre eux font de leur mieux pour satisfaire aux exigences de la Loi, alors que d'autres font preuve d'une certaine négligence dans la poursuite des trois objectifs fondamentaux du programme.

Affaires extérieures

La situation linguistique du ministère des Affaires extérieures aura connu peu de changements importants en 1987. Le Ministère poursuit ses efforts pour offrir aux Canadiens, tant au pays qu'à l'étranger, un service dans les deux langues officielles. Ainsi, les nouveaux agents du service extérieur devront dorénavant atteindre un niveau supérieur de connaissance de leur langue seconde. D'autre part, le français n'occupe toujours pas la place qui lui revient en tant que langue de travail. La participation des deux groupes linguistiques, sensiblement la même que l'an dernier, demeure satisfaisante dans l'ensemble, mais la sous-représentation des francophones dans la catégorie Gestion ne l'est pas. Enfin, le suivi que nous avons effectué à la fin de 1986 a révélé des faiblesses persistantes aux bureaux des passeports et parmi le personnel de soutien permutant.

La fiche du Ministère en matière de service au public est satisfaisante dans l'ensemble. À l'administration centrale, l'accueil et la documentation sont généralement offerts dans les deux langues. Toutefois, comme nous l'avons indiqué dans notre dernier rapport, le Bureau des passeports éprouve encore certaines difficultés à satisfaire à ses obligations linguistiques ; il a d'ailleurs fait l'objet d'une plainte pour avoir envoyé de la correspondance en anglais à un francophone. À l'heure actuelle, la moitié des 18 bureaux régionaux ne peuvent compter que sur un seul employé bilingue et, en son absence, c'est à l'aide d'un numéro Zénith que le Ministère assure un service bilingue à sa clientèle. La diffusion des formulaires de passeport dans les bureaux de poste pose encore des problèmes : on n'en trouve souvent que dans la langue de la majorité et le Ministère ne semble pas disposé à exercer des contrôles à cet égard.

Chez les employés non permutants du Ministère, 968 des 1 100 titulaires de postes bilingues, soit 88 p. 100, satisfont aux exigences de leur poste. Par ailleurs, la capacité bilingue globale des groupes permutants se situe à 63,2 p. 100, mais elle comporte des variations importantes d'une catégorie à l'autre. Ainsi, elle est de 79 p. 100 chez les 1 156 agents du service extérieur, mais de seulement 51,2 p. 100 chez les 479 secrétaires. Par conséquent, le bilinguisme des services varie sensiblement d'une mission à l'autre. De plus, à l'étranger, l'accueil est souvent confié à un personnel local qui ne maîtrise pas toujours les deux langues officielles.

En ce qui concerne l'usage du français au travail, la situation a peu progressé au cours de l'année. Le Ministère n'est pas encore venu à bout d'une pénurie

chronique d'agents de communications et de secrétaires bilingues, ce qui constitue un obstacle de taille à l'utilisation des deux langues. En effet, seulement 84 des 246 agents de communications sont bilingues, et près de 20 p. 100 des 245 secrétaires dites bilingues n'ont qu'une connaissance élémentaire de l'autre langue. Cette absence de progrès s'explique par le fait que les employés en question ont rarement la possibilité d'obtenir une formation linguistique. Par conséquent, les agents francophones de nombreuses directions et missions à l'étranger continuent à éprouver de la difficulté à travailler dans leur première langue officielle. C'est ainsi qu'à Paris, on trouve encore quatre anglophones unilingues parmi les 25 employés du Soutien administratif.

Grâce au travail accompli par le passé dans le domaine des systèmes informatiques, le Ministère a pu collaborer avec un fournisseur à la mise en place d'un système de micro-informatique véritablement bilingue : désormais, l'ordinateur reproduit lui-même les accents français sans qu'on ait à recourir à un logiciel spécial.

La bilinguisation des postes d'encadrement s'est poursuivie lentement cette année : 86,6 p. 100 des 304 surveillants non permutants satisfont maintenant aux exigences linguistiques de leur poste par rapport à 79 p. 100 l'an dernier. Du côté des permutants, plusieurs secrétaires francophones doivent encore composer avec des cadres qui ne possèdent qu'une connaissance minime du français.

La participation globale des deux groupes linguistiques demeure acceptable avec 29 p. 100 de francophones et 71 p. 100 d'anglophones. Toutefois, la proportion de francophones dans la catégorie Gestion a de quoi susciter l'inquiétude : ayant baissé de 1,6 p. 100, elle ne se situe plus qu'à 19,8 p. 100. Les francophones sont également sous-représentés dans la catégorie Technique (26 employés sur 159). Par contre, ils sont bien représentés dans la catégorie Administration et Service extérieur avec 420 des 1 624 employés (25,9 p. 100). D'autre part, les anglophones représentent maintenant 55,8 p. 100 des employés de la catégorie Exploitation, soit une importante augmentation de 10 p. 100 par rapport à l'an dernier.

La Direction des langues officielles a encore subi des coupures de personnel cette année : elle ne dispose plus que de 12 employés au lieu de 17 en 1983. Comme nous l'avions mentionné en 1985, la principale faiblesse dans la gestion du programme se situe à l'étranger. En effet, si l'on a désigné dans chaque mission un coordonnateur des langues officielles, celui-ci n'est pas tenu de rédiger un rapport annuel, de sorte que la Direction des langues officielles manque d'information sur ces missions. Les seuls renseignements dont elle dispose proviennent des rapports de vérification interne et des quelques vérifications qu'elle a entreprises elle-même. Dans le cadre d'un projet pilote créé il y a deux ans, cinq missions importantes devaient se doter d'un programme des langues officielles. C'est maintenant chose faite à Paris, Tokyo, Washington et Bruxelles. Le Ministère doit maintenant évaluer la situation afin de déterminer s'il convient de généraliser cette pratique.

Nous avons reçu 30 plaintes contre le Ministère cette année, comparativement à 27 l'an dernier. Des 25 plaintes touchant la langue de service, 11 concernaient

le numéro Zénith sur le libre-échange. Il est surprenant, vu l'ampleur de cette campagne d'information et l'importance du sujet, que le Ministère ne se soit pas assuré qu'un service bilingue serait disponible en tout temps. Ces cas sont toujours à l'étude. Selon une autre plainte, c'est dans la langue de la collectivité majoritaire dans chaque district postal que le Ministère a envoyé un questionnaire sur l'apartheid à plus de 30 000 Canadiens à travers le pays, oubliant de la sorte les droits des minorités linguistiques. Le Ministère s'est engagé à utiliser à l'avenir une présentation bilingue.

Trois des cinq plaintes touchant la langue de travail sont l'indice de problèmes sérieux : encore cette année, certaines séances d'information pour les employés partant à l'étranger n'ont été données qu'en anglais ; il en a été de même pour la formation professionnelle. À ce sujet, la Direction des langues officielles entreprendra sous peu une étude afin de déceler les raisons qui incitent les francophones à s'inscrire aux cours en anglais. Par ailleurs, la Direction de la rémunération et des indemnités ne réussit pas à offrir ses services dans les deux langues officielles. Dans ce dernier cas, le Ministère s'est engagé à augmenter son effectif bilingue et à répartir le travail en étant plus attentif aux connaissances linguistiques de son personnel. C'est une question que nous suivons de près. Notons enfin que grâce aux efforts du Ministère, les Canadiens pourront se procurer d'ici quelques mois un passeport aux majuscules accentuées.

Affaires indiennes et du Nord canadien*

Comme l'a confirmé notre récente vérification au ministère des Affaires indiennes et du Nord canadien, la réforme du régime linguistique y est encore en perte de vitesse, et ce sur tous les plans. Après avoir subi une vaste réorganisation l'année dernière, le Ministère a fait face à d'importantes réductions d'effectif en 1987, qui se poursuivront d'ailleurs au cours des trois prochaines années ; dans un tel contexte, doit-on s'étonner que les gestionnaires aient tendance à accorder la priorité à d'autres programmes qu'à celui des langues officielles ?

Le Ministère justifie sa faible capacité bilingue en région par le fait que 96 p. 100 de sa clientèle autochtone aurait choisi de communiquer avec lui en anglais. Les résultats du sondage mené par sa Direction des communications auprès des bandes indiennes, dont nous avons parlé l'an dernier, lui donnent partiellement raison. Cependant, les rencontres que nous avons eues, dans le cadre de notre vérification, avec des représentants de bandes indiennes ou d'associations d'autochtones nous indiquent que dans les régions bilingues (Nouveau-Brunswick, Québec et nord de l'Ontario), la langue dans laquelle le chef de bande et son conseil transigent avec le Ministère n'est pas nécessairement la langue officielle d'élection de tous les membres de la bande. D'autre part, certaines bandes comptent un nombre important de francophones et d'anglophones : la langue de communication avec le Ministère varie donc selon le chef et le conseil de bande qui sont en place. Soulignons par ailleurs que la mise en œuvre des modifications apportées à la

Loi sur les Indiens en 1985, et qui rétablissent le droit d'appartenance à une bande pour certaines personnes ainsi que leurs enfants, pourrait changer le profil linguistique de plusieurs bandes. Le Ministère devrait réévaluer les besoins linguistiques de sa clientèle en fonction de ces éléments — sans oublier les besoins de cette clientèle assidue que constituent les professeurs, les étudiants et les chercheurs — en gardant à l'esprit que les individus (autochtones ou autres) à qui il dispense des services ou de l'information ont le droit de les recevoir dans leur langue officielle d'élection. Aussi exhortons-nous le Ministère à se doter, une fois pour toutes, d'une capacité bilingue adéquate au Nouveau-Brunswick et en Ontario, et à la faire connaître.

Le français n'a guère sa place comme langue de travail au Ministère. Dans la région de la Capitale nationale, 18,5 p. 100 des surveillants qui occupent des postes bilingues sont unilingues, et seulement 4,6 p. 100 des gestionnaires occupent des postes bilingues exigeant une connaissance supérieure de leur langue seconde ; cela perpétue l'habitude profondément enracinée chez la grande majorité des employés, même francophones, de travailler en anglais. Il est impossible de travailler en français dans les régions bilingues, sauf au Québec ; mais même là, selon nos récentes observations, la situation a plutôt tendance à se détériorer, si l'on en juge par le nombre grandissant de documents unilingues anglais provenant de l'administration centrale.

Étant donné les réductions d'effectif que subit présentement le Ministère, il aurait été surprenant de voir augmenter le taux de participation des francophones ; de fait, celui-ci est resté faible à 15 p. 100 dans l'ensemble du Ministère, 6,5 p. 100 au Nouveau-Brunswick et 1 p. 100 en Ontario. De toute évidence, le Ministère doit tout mettre en œuvre pour corriger cette situation. Quant au taux de participation des anglophones au Québec, il est passé de 16,8 p. 100 en 1986 à 14,9 p. 100 en 1987. Cette baisse s'explique par le fait que des écoles fédérales de langue anglaise ont été prises en charge par des bandes indiennes : le Ministère a donc dû réduire le nombre de ses enseignants anglophones au Québec.

Le programme des langues officielles du Ministère souffre quant à lui de paralysie. Depuis quelques années, la gestion en a été décentralisée et intégrée à divers secteurs des ressources humaines. Or nos récentes observations nous permettent d'affirmer que tout ne baigne pas dans l'huile. Le responsable des langues officielles, laissé à lui-même, ne dispose d'aucune année-personne pour l'aider à coordonner le réseau. Doit-on s'étonner qu'aucun mécanisme de contrôle n'ait encore été mis en place ? Au surplus, l'équipe de vérification interne du Ministère s'est totalement désintéressée de la question linguistique en 1987. Il est évident que le programme des langues officielles continuera à s'étioler tant que la haute direction du Ministère n'aura pas donné le coup de barre qui s'impose.

Nous avons reçu sept plaintes contre le Ministère cette année, deux de plus qu'en 1986. Cinq d'entre elles concernaient des annonces n'ayant pas été publiées dans la presse de langue officielle minoritaire au Manitoba, dont deux concernant des

postes d'enseignants. Les deux autres plaintes avaient trait à l'unilinguisme d'agents de la paix autochtones. De ces sept plaintes, cinq étaient à l'étude à la fin de l'année dans le cadre de notre vérification linguistique.

Agriculture

Comme par le passé, la capacité bilingue du ministère de l'Agriculture reste très limitée à l'extérieur de la région de la Capitale nationale, du Québec et du Nouveau-Brunswick. À vrai dire, sa capacité globale a même diminué. Au travail, le français est rarement utilisé ailleurs qu'au Québec ; quand on sait que la représentation francophone n'est que de 21 p. 100 pour l'ensemble, et de 19 p. 100 dans une catégorie aussi essentielle que celle des Scientifiques et spécialistes, cela n'a rien de surprenant. En revanche, le programme des langues officielles est bien structuré et on peut penser que la situation d'ensemble du Ministère s'en trouvera améliorée.

Le service est offert au public dans les deux langues dans la région de la Capitale nationale, au Québec et dans la plupart des bureaux du Nouveau-Brunswick. Ailleurs, le service en français est irrégulier. À Regina, il existe un numéro de téléphone spécial pour les demandes de renseignements en français, et les directions de la recherche au Nouveau-Brunswick et en Colombie-Britannique offrent un service bilingue. À Winnipeg, par contre, alors que l'accueil téléphonique se fait dans les deux langues dans certains bureaux, il est difficile d'y trouver quelqu'un qui parle suffisamment bien le français pour se montrer d'une réelle utilité. Ailleurs — à Toronto, Belleville, Edmonton, Beaverlodge, Vancouver, Charlottetown et Summerside — les services en français sont rares ou inexistants.

Le Ministère a 4 671 postes exigeant la communication avec le public. De ce nombre, 1 583 (33,9 p. 100) sont bilingues et 85 p. 100 des titulaires ont la compétence linguistique requise. Si ces chiffres sont acceptables dans l'ensemble, on pourrait cependant améliorer la répartition des postes en question. Hors des régions bilingues, en effet, seulement 118 des 2 461 postes exigeant la communication avec le public sont bilingues ; il est difficile, par conséquent, d'y servir les communautés de langue minoritaire lorsqu'il y a « demande importante ». En outre, alors que le pourcentage de postes bilingues est demeuré stable à 22,4 p. 100 depuis 1986, le pourcentage de titulaires qualifiés a diminué de 85,2 à 83,8 p. 100.

Le français est utilisé comme langue de travail partout au Québec, ainsi que dans certaines parties du Nouveau-Brunswick et de la région de la Capitale nationale. Dans l'ensemble, le milieu de travail est favorable à l'utilisation du français. Les documents sont émis dans les deux langues, à l'exception des textes techniques et scientifiques qui sont publiés dans l'une des langues avec un résumé dans l'autre. On encourage les francophones à parler français dans les réunions, et ils le font à des degrés divers. Les services centraux et du personnel sont généralement offerts dans les deux langues. Il en est de même des programmes de formation et de

perfectionnement, exception faite de certains cours spécialisés qui ne sont encore offerts qu'en anglais.

L'obstacle le plus sérieux à l'usage du français se situe du côté de la recherche. Comme dans d'autres organismes à vocation scientifique et technique, en effet, les scientifiques francophones du Ministère n'ont que trop rarement la possibilité de travailler en français. Parfois ils choisissent eux-mêmes de communiquer leurs recherches en anglais, en raison notamment de la plus grande diffusion des publications dans cette langue. S'il n'est évidemment pas possible de dicter des choix linguistiques aux individus, nos efforts, ainsi que ceux des ministères en cause — voire de la communauté francophone dans son ensemble — devraient tendre à faire du travail en français une activité plus fructueuse, sur le plan professionnel, pour les chercheurs francophones.

La question de la langue de travail est intimement liée à celle des taux de participation. Les francophones ne constituent que 21 p. 100 des 11 590 employés du Ministère. Leur présence est très faible dans toutes les catégories professionnelles sauf celle du Soutien administratif, où ils forment un bon 26,6 p. 100 des 1 933 employés. Parmi les 194 cadres supérieurs de la catégorie Gestion, seulement 29 (14,9 p. 100) sont francophones. Dans les catégories clés — Scientifiques et spécialistes et Technique —, la représentation francophone se situe respectivement à 18,7 et 21,5 p. 100. Ces chiffres laissent d'autant plus à désirer qu'ils marquent une légère baisse par rapport à l'année dernière. La représentation francophone dans la catégorie Exploitation, qui a quelque peu augmenté depuis l'an dernier, reste cependant insuffisante à 17,6 p. 100 des 1 656 employés. Quant aux anglophones, ils ne constituent, comme l'an dernier, que 4 p. 100 des 1 575 employés au Québec.

Si le Ministère a beaucoup à faire dans le domaine de la participation, il faut reconnaître qu'il s'est résolument attaqué à la tâche. On a entrepris d'étudier le profil linguistique des nouveaux employés et de ceux qui partent, en vue de mettre fin à l'exode des Anglo-Québécois ou tout au moins de le freiner. On a aussi fixé des objectifs à long terme pour en arriver à un équilibre acceptable au Nouveau-Brunswick, au Québec et dans la région de la Capitale nationale, de même que dans d'autres provinces. Enfin, on a multiplié les échanges avec les organismes et les associations professionnelles du Québec afin de recruter davantage de scientifiques et de techniciens francophones.

La gestion du programme des langues officielles est fortement structurée. Ainsi, le Ministère présente au Conseil du Trésor un plan triennal et des rapports intérimaires annuels sur son programme ; les gestionnaires préparent un plan en ce domaine qui définit les responsabilités et les échéances ; les directeurs et les coordonnateurs veillent à l'intégration des objectifs régionaux et sectoriels, tandis que la Division des langues officielles analyse tous les plans des directions et prépare un programme ministériel qui sera soumis à l'approbation du Comité de gestion chargé des langues officielles et, en dernier ressort, du Comité de la

haute direction ; enfin, les directeurs préparent des bilans semestriels qui sont revus par le Comité de gestion. À long terme, de tels efforts ne peuvent que porter fruit.

Nous avons reçu 18 plaintes contre le ministère de l'Agriculture, comparativement à 10 en 1986. Sept d'entre elles avaient trait au service au public, par téléphone ou en personne. Deux plaintes signalaient l'absence de publicité dans la presse minoritaire, cinq la publication de documents unilingues, et deux autres l'affichage unilingue anglais. Les deux dernières touchaient la langue de travail. Le Ministère a réagi avec promptitude à ces plaintes et a pris des mesures pour faire en sorte que de tels problèmes ne se reproduisent plus.

Air Canada

En 1987, la situation linguistique d'Air Canada est demeurée stationnaire. En matière de service au public, les acquis importants des dernières années se sont généralement maintenus, mais les problèmes de l'offre active de service et de l'attitude de certains employés à l'endroit des passagers désirant être servis en français attendent toujours les solutions appropriées. Par ailleurs, il y a encore du chemin à faire avant que les francophones, même au Québec, puissent en tout temps travailler dans leur langue. De plus, la question du régime linguistique des partenaires commerciaux d'Air Canada réclame une attention immédiate en raison de son effet sur les minorités francophones hors du Québec. Les modifications apportées dernièrement à la gestion du programme des langues officielles devraient cependant entraîner une amélioration du rendement linguistique de la Société.

Bien que l'effectif bilingue soit important dans les différents points de service au sol, il faudra l'augmenter, ou voir à mieux le répartir, pour assurer partout un service adéquat dans les deux langues. Par exemple, les services d'Air Canada à l'aéroport de Saskatoon ne comptent aucun employé bilingue, et les aéroports de Saint-Jean (N.-B.) et de Charlottetown ne sont dotés que d'un seul agent bilingue chacun. Ces situations exigent que la Société prenne au plus tôt les mesures qui s'imposent. Mentionnons toutefois qu'à l'aéroport de Timmins, qui n'a offert pendant de longues années aucun service en français, la situation s'est considérablement améliorée en 1987 : deux des huit agents en poste y sont maintenant bilingues.

Les services de réservations téléphoniques sont pour leur part généralement bien pourvus en personnel bilingue. Tel n'est pas le cas, cependant, pour plusieurs bureaux de ventes de la Société dans les villes à l'extérieur du Québec. Deux exemples : il n'y a aucun employé bilingue à Saskatoon ni à Sydney.

Air Canada cherche à accroître progressivement sa capacité bilingue par la formation linguistique et l'embauche. L'effet de cette politique ne pouvant toutefois se faire sentir qu'à moyen ou à long terme, il demeure essentiel que le personnel bilingue actuel soit mis à contribution de façon optimale. À cet égard, et compte

tenu du nombre d'agents linguistiquement compétents, on comprend difficilement pourquoi les annonces dans les aéroports ne sont pas faites en tout temps dans les deux langues. De même, Air Canada devrait veiller à déployer de façon judicieuse les agents bilingues assurant le service en personne et à désigner clairement les points de service où ils se trouvent. À l'aéroport de Toronto, en dépit d'un nombre de plus en plus important d'employés bilingues (185 sur 600), ces différents aspects de l'organisation du travail continuent de faire problème ; la gestion locale s'est cependant engagée à apporter des correctifs à cet égard. Notons aussi que la Société s'est employée à améliorer la situation à l'aéroport de Winnipeg : elle a adopté des mesures de contrôle supplémentaires, notamment en ce qui a trait au déploiement du personnel bilingue, et mis sur pied un programme de sensibilisation destiné aux employés.

À l'étranger, les services d'Air Canada n'ont connu aucun changement significatif au chapitre du bilinguisme. Aux États-Unis et en Europe, la situation reste tout à fait acceptable ; toutefois, le personnel bilingue demeure encore insuffisant dans certains points de service du Sud, notamment aux Bahamas et en Jamaïque, de même qu'à Bombay et à Singapour.

Le service à bord des vols de la Société est assuré par plus de 3 500 employés, dont 60,4 p. 100 sont bilingues. Seuls les candidats qui maîtrisent les deux langues peuvent obtenir un poste d'agent de bord, et c'est ce qui fait que la capacité bilingue va croissant au sein de ce groupe. Malheureusement, cela ne suffit pas à assurer le respect de la préférence linguistique des voyageurs. En effet, bien que la Société observe généralement les normes de capacité bilingue minimale qu'elle s'est fixée pour chacun de ses vols, les agents ne se conforment pas toujours aux procédures prévues pour assurer le service dans les deux langues. Ainsi, à l'extérieur du Québec, l'accueil à la porte de l'avion s'effectue très souvent en anglais seulement, et plusieurs agents unilingues n'ont pas recours à un collègue bilingue lorsqu'il s'agit de servir un voyageur francophone. En outre, malgré que la Société se soit employée cette année à sensibiliser le personnel de bord aux exigences linguistiques du service, certains agents unilingues ont infligé un traitement fort désagréable à des passagers qui avaient exprimé le désir d'être servis en français. La Société devrait se montrer plus sévère à l'endroit de ces employés.

Selon les sondages de la Société, les annonces régulières à bord des vols se font dans les deux langues dans la presque totalité des cas. Un problème demeure cependant quant à la langue des annonces effectuées dans les situations d'urgence ; Air Canada et le ministère des Transports devront examiner sérieusement cette question.

Au chapitre des communications écrites, la langue de la correspondance entre Air Canada et sa clientèle ne présente aucune anomalie. La situation est tout autre, cependant, en ce qui touche les panneaux-réclame de la Société à Montréal, qui ne sont toujours qu'en français. D'autre part, le recours à la presse écrite minoritaire est encore trop peu fréquent si l'on considère la quantité d'annonces

publiées dans les quotidiens de la majorité linguistique. Air Canada semble toutefois disposée à corriger ce déséquilibre.

Enfin, toujours au chapitre du service au public, les ententes survenues entre Air Canada et d'autres sociétés aériennes soulèvent un problème d'ordre linguistique qu'on ne saurait négliger. En effet, ces transporteurs aériens, dont les opérations sont étroitement liées à celles de la Société, desservent d'importantes minorités francophones — en Ontario et dans l'Atlantique par exemple — sans être en mesure d'assurer un service en français. Selon nous, la Société devrait jouer un rôle actif auprès de ces entreprises et voir à ce que celles-ci prennent les dispositions nécessaires en vue de fournir un service bilingue.

En matière de langue de travail, les progrès continuent de se manifester dans le secteur des services centraux et du personnel. Cette année, ce sont principalement les agents de bord qui, partout au pays, bénéficieront des mesures de bilinguisation entreprises.

En ce qui touche les activités quotidiennes, la politique de la Société stipule que le français et l'anglais doivent être les langues normales de travail au siège social situé à Montréal, aux bases des Opérations aériennes et de la Maintenance à Dorval et dans les districts d'Ottawa-Hull et de Moncton ; le français devrait être la langue normale de travail dans les différents points de service au Québec et à la base de Service en vol de Dorval/Mirabel.

En pratique, cependant, les données les plus récentes indiquent que des difficultés sérieuses subsistent toujours, au Québec, dans les secteurs de travail à caractère technique, par exemple la Maintenance (mécaniciens) et les Opérations aériennes (pilotes). Les employés francophones ne sont pas encore assurés d'y être encadrés dans leur langue. Air Canada devra donc contrôler de près la dotation des postes de surveillants, dont les exigences linguistiques sont maintenant clairement définies. Bien sûr, la prédominance de l'anglais dans le domaine de l'aéronautique a créé des habitudes linguistiques qui freinent l'essor du français dans les secteurs en question. Mais la Société peut néanmoins, en prenant les mesures nécessaires, assurer des progrès réels.

Ainsi, on pourrait accroître la proportion d'employés francophones, particulièrement faible dans la direction des Opérations aériennes : en 1986 (les données pour 1987 ne sont pas disponibles), seulement 33 p. 100 des pilotes basés au Québec étaient de langue française, et ce pourcentage s'établissait à un faible 14 p. 100 pour tout le Canada. De même, les cadres de langue française ne constituaient que 19,1 p. 100 de leur groupe d'employés. Dans son ensemble, la composition linguistique du personnel d'Air Canada se présentait comme suit : les francophones y représentaient 21,9 p. 100 de l'effectif, soit 4 711 employés sur 21 483.

La gestion du programme des langues officielles est fortement décentralisée et Air Canada compte avant tout sur les gestionnaires chargés de l'exploitation pour

en assurer la mise en œuvre. Cependant, la haute direction ne contrôle pas avec suffisamment de rigueur leur performance à cet égard. Heureusement, des améliorations importantes s'annonçaient à la fin de 1987 : on a décidé d'accroître le personnel de la Direction des langues officielles, qui a facilement accès à la haute direction, et on mettait sur pied de nouveaux mécanismes de contrôle. Enfin, la Société a élaboré un programme d'information et de sensibilisation visant à mieux préparer les gestionnaires de l'exploitation à assumer leurs responsabilités linguistiques. Un personnel mieux sensibilisé, des contrôles plus fréquents : Air Canada s'engage dans une voie prometteuse.

Des 174 plaintes reçues à l'endroit d'Air Canada cette année, 154 mettaient en cause la langue de service à la clientèle : le service en vol a fait l'objet de 38 griefs alors que les services au sol en ont généré 89 ; 27 autres concernaient les services des transporteurs partenaires de la Société. Cinq plaintes ont été enregistrées au chapitre de la langue de travail, et une quinzaine touchant l'affichage. Enfin, en plus de ces plaintes en bonne et due forme, nous avons reçu de nombreuses communications signalant la non-parution d'annonces publicitaires dans la presse écrite de langue minoritaire, une question qui semble en voie de se régler.

Approvisionnements et Services*

Bien qu'il ait fait des progrès cette année, le ministère des Approvisionnements et Services n'a pas encore réussi à régler certains problèmes aussi graves qu'anciens. Sur le plan de la langue de service, le Ministère a pu de façon générale offrir au public un service adéquat dans les deux langues officielles, en dépit des faiblesses à cet égard de son secteur Approvisionnements. Sur le front de la langue de travail, la situation est loin d'être bonne, malgré une forte représentation francophone. Le programme des langues officielles est cependant mené avec vigueur et compétence et jouit du soutien actif de la haute direction. On peut donc envisager l'avenir avec optimiste.

Le service est généralement disponible et spontanément offert dans les deux langues. Des 2 500 employés qui ont à traiter avec le public, 1 564 (62,6 p. 100) occupent des postes bilingues, et 87 p. 100 d'entre eux ont la compétence requise. L'affichage est bilingue ; les lettres sont automatiquement suivies d'une réponse dans la langue du correspondant ; et les publications du Ministère sont produites dans les deux langues. Mais il y a un os ! En tant que chargé des achats du gouvernement, le Ministère traite avec de nombreux fournisseurs de biens et de services. Dans plusieurs cas, il ne tient pas compte de leurs préférences linguistiques et il lui arrive même de ne rien faire pour les connaître. Le Ministère devra corriger sans plus attendre cette anomalie. En outre, tout le problème des cahiers des charges bilingues pour les biens et services demeure entier. Le ministère des Approvisionnements et Services et le Secrétariat du Conseil du Trésor cherchent encore à déterminer à qui revient la responsabilité en ce domaine. Il serait souhaitable qu'une décision à ce sujet soit prise bientôt afin d'accorder

aux fournisseurs francophones et anglophones des chances égales dans le processus d'attribution des marchés.

Le problème de la langue de travail n'a rien perdu de son acuité, bien que le Ministère n'ait pas ménagé ses efforts en ce domaine. Il a entrepris un examen systématique de tous les facteurs en cause — les documents de travail, les notes de service aux employés, les réunions, l'encadrement, etc — dans le but de remédier à la situation. Cet examen a été jugé prioritaire, et des rapports trimestriels ont été soumis au Comité de la haute direction. Même s'il n'est pas encore terminé, un certain nombre de mesures ont déjà été prises. Tous les postes de surveillance exigent maintenant une compétence linguistique de niveau intermédiaire ou supérieur. Grâce au système de vérification en vigueur, les sous-ministres adjoints seront prévenus de toute distribution de documents unilingues à des employés. Un système analogue a permis de réduire de 122 en 1986 à 32 en 1987 le nombre de documents unilingues anglais envoyés au Québec. Par contre, la solution du problème des surveillants insuffisamment compétents dans leur langue seconde semble toujours échapper au Ministère — 18 p. 100 de ceux qui occupent des postes bilingues sont dans ce cas.

La participation élevée des francophones (40 p. 100 des 9 381 employés) est attribuable à leur forte concentration dans des postes de soutien. Au Québec, c'est la faible représentation des anglophones qui fait toujours problème. Même si cette question est à l'étude depuis un certain temps, le Ministère n'a pas encore trouvé de solution efficace.

Cela dit, il faut souligner les efforts du Ministère en vue d'établir un véritable programme des langues officielles, et tout particulièrement l'engagement actif de la haute direction.

Nous avons reçu 25 plaintes contre le Ministère en 1987, contre 29 l'an dernier. Dix-neuf avaient trait au service au public et six à la langue de travail. Côté langue de service, l'accueil téléphonique unilingue, le défaut de faire paraître des publicités dans les médias de la minorité et l'inexistence de certains documents dans les deux langues ont servi de cibles aux plaignants. Côté langue de travail, on a protesté contre l'unilinguisme anglais de certaines communications écrites. Le Ministère a collaboré de bonne grâce au règlement de ces plaintes.

Banque du Canada*

La Banque du Canada a poursuivi ses efforts en 1987 pour améliorer son bilinguisme fonctionnel. La vérification que nous y avons effectuée cette année indique qu'elle est en mesure de servir sa clientèle dans les deux langues officielles, bien qu'elle ne le fasse pas toujours spontanément, particulièrement en région. Le français s'impose de plus en plus comme langue de travail dans plusieurs départements de la Banque. Toutefois, malgré un programme de formation linguistique dynamique, celle-ci n'a pas réussi à augmenter le pourcentage de

surveillants bilingues, qui s'est maintenu à 54 p. 100. D'autre part, les anglophones demeurent sous-représentés au sein de la catégorie Opérations et Administration.

Avec 1 086 employés bilingues, soit 46 p. 100 de ses effectifs, la Banque assure généralement à sa clientèle de bons services dans les deux langues officielles, tant à Ottawa que dans ses agences régionales dont la capacité bilingue varie de 84 employés (61 p. 100) à Montréal à 1 employé (3 p. 100) à Regina. Il faut toutefois noter que seulement trois des cinq directeurs d'agences dans les régions bilingues maîtrisent les deux langues officielles. Étant donné le rôle qu'ils jouent auprès du public en tant que représentants de la Banque du Canada, on devra assurer en priorité la formation linguistique des deux autres directeurs.

La plupart des publications de la Banque sont disponibles dans les deux langues. Cependant, les rapports techniques, destinés à une clientèle spécialisée, sont publiés dans la langue de rédaction de l'auteur (l'anglais dans 95 p. 100 des cas) avec un résumé dans l'autre langue. Un meilleur équilibre serait souhaitable : la Banque pourrait encourager les auteurs francophones à rédiger dans leur langue, et faire traduire certains rapports destinés à une plus large diffusion. L'affichage ainsi que l'accueil téléphonique sont bilingues à travers le pays.

La Banque du Canada continue de favoriser un usage plus équitable des deux langues en milieu de travail, notamment grâce aux systèmes informatiques bilingues qu'elle a mis en place à l'échelle du pays ; elle conserve d'ailleurs son titre de chef de file à cet égard. Les communications entre Ottawa et les employés francophones des régions se font généralement en anglais, quoique l'agence de Montréal utilise de plus en plus le français. À l'administration centrale, l'usage des deux langues varie énormément d'un département à l'autre. Si le français réussit à se tailler une place dans les départements de recherche et d'analyse, par exemple, ce n'est pas le cas dans ceux du Contrôle, de la Gestion des immeubles, de l'Automatisation et de la Vérification, où le pourcentage de surveillants bilingues se situe entre 16 et 42 p. 100. De plus, la faible capacité bilingue de ces quatre départements ne leur permet pas toujours de tenir des réunions ou d'offrir des services internes dans les deux langues. Le programme de formation linguistique offert par la Banque, par ailleurs excellent, ne peut à lui seul corriger de tels déséquilibres. Si elle souhaite améliorer la situation, la Banque devra envisager d'autres correctifs, par exemple exiger le bilinguisme au moment même de la dotation pour un plus grand nombre de postes.

La Banque compte 1 570 employés anglophones (66,2 p. 100) et 800 francophones (33,8 p. 100). Les francophones forment 38 p. 100 des 1 705 employés de la catégorie Opérations et Administration, ce qui explique leur forte représentation globale. L'équilibre est plus satisfaisant dans les autres catégories, avec une proportion de francophones allant de 22 à 25 p. 100. D'autre part, si les anglophones sont représentés équitablement au Québec (12 p. 100), les francophones le sont moins bien au Nouveau-Brunswick avec 11 p. 100, alors que la population de cette province est francophone à 33 p. 100.

Le programme des langues officielles, dont les principaux éléments sont la formation linguistique et la promotion du français comme langue de travail, bénéficie de l'appui soutenu de la haute direction de la Banque. Nous avons toutefois recommandé à celle-ci de mettre en place des mécanismes de contrôle et de vérification qui lui permettraient de mieux assurer le respect de sa politique en matière de bilinguisme. En outre, la gestion du programme serait grandement améliorée si on pouvait l'évaluer en fonction d'engagements précis des gestionnaires de chaque département.

La Banque a rapidement résolu les trois plaintes que nous avons portées à son attention en 1987. Deux d'entre elles concernaient l'accueil téléphonique, et l'autre des indications en anglais seulement, à Ottawa dans les trois cas.

Centre de recherches pour le développement international*

Notre récente vérification au Centre de recherches pour le développement international (CRDI) révèle que la situation linguistique s'y est quelque peu améliorée depuis notre dernier examen complet en 1981. Le français demeure néanmoins peu utilisé comme langue de travail, et la participation des deux groupes linguistiques accuse encore certains déséquilibres. La nomination d'un coordonnateur à temps plein pour le programme des langues officielles constitue un jalon important d'une réforme linguistique qui faisait preuve, depuis quelques années, d'une certaine tiédeur.

Dans l'ensemble, le Centre est en mesure de fournir ses services dans les deux langues officielles. L'affichage et l'accueil sont bilingues, et la bibliothèque reçoit ses nombreux visiteurs dans la langue appropriée. Les publications d'intérêt général de même que les brochures, les dépliants et les films produits par le Centre sont disponibles en français et en anglais. Par contre, les publications d'ordre technique ou scientifique, destinées à un public spécialisé, paraissent généralement en anglais d'abord ; pour la version française, il faut attendre de quatre mois à plus d'un an. Bien que nous ayons déjà signalé cette anomalie à maintes reprises, l'organisme n'a pas encore modifié cette pratique. Or celle-ci est incompatible avec les exigences de la Loi, sans compter qu'elle ne contribue en rien à assurer une place plus convenable au français dans le domaine de la recherche scientifique. Il est à espérer que la nouvelle politique dont le Centre entend se doter en cette matière viendra corriger cette lacune.

Le CRDI compte une proportion respectable de postes bilingues, soit 89,6 p. 100 (335 sur 374) ; par contre, il considère qu'environ 75 p. 100 d'entre eux sont occupés par des titulaires qualifiés, ce qui est insuffisant. L'organisme n'a pas cru bon de préciser les exigences linguistiques de ses postes bilingues, mais prévoit le faire bientôt ; il est donc difficile d'évaluer les connaissances de leurs titulaires, et il arrive que l'on embauche du personnel ne possédant pas la compétence linguistique voulue. Le Centre devrait corriger cette situation, et en particulier préciser les critères de dotation des postes bilingues.

Par ailleurs, à moins que le Centre n'adopte des mesures fermes à cet égard, le français continuera d'occuper une place insuffisante en tant que langue de travail. Le fait que 32 p. 100 des postes de surveillance bilingues soient occupés par des unilingues ne facilite en rien l'usage du français, d'autant plus que la prédominance traditionnelle de l'anglais dans le milieu scientifique demanderait des efforts particuliers. La sous-utilisation du français touche aussi bien les réunions que les notes de service et la rédaction : ainsi, des 23 publications techniques et scientifiques produites par le CRDI en 1987, plus de 90 p. 100 ont été rédigées en anglais. Le Centre devra donc redoubler d'efforts pour promouvoir le français en milieu de travail.

S'il existe encore des instruments de travail unilingues, nous tenons par contre à souligner que le Centre s'efforce de mettre au point des systèmes informatiques bilingues, y compris les manuels et les programmes de formation qui s'y rattachent. Pour sa part, le responsable des langues officielles a mis sur pied un « réseau de bilinguisme » regroupant des employés de toutes les divisions afin de discuter des moyens de promouvoir l'usage du français dans le cadre des activités du CRDI.

Plusieurs services centraux et du personnel éprouvent de la difficulté à communiquer avec les employés dans les deux langues officielles. C'est le cas notamment des Services financiers et de ceux du courrier, des voyages et de la gestion des documents.

Bien que la représentation des francophones soit trop élevée dans l'ensemble (32 p. 100 des 374 employés), ils sont sous-représentés dans la catégorie Sciences (11 employés sur 55 ou 20 p. 100) ; étant donné la nature de l'organisation, on imagine l'effet que cela peut avoir sur la langue de travail. Les anglophones, pour leur part, sont sous-représentés dans les catégories Profession (60 p. 100) et Soutien administratif (63 p. 100). Le Centre devrait s'efforcer de corriger ces déséquilibres le plus rapidement possible.

Le CRDI n'a pas encore intégré d'objectifs linguistiques à ses plans opérationnels, et aucune mesure n'a été mise en place pour contrôler l'application du programme. Par contre, on vient de terminer la rédaction d'un guide, destiné aux gestionnaires et aux employés, qui décrit la politique du Centre en cette matière ainsi que ses modalités de mise en œuvre.

Nous avons reçu une plainte contre le Centre en 1987 ; elle concernait l'envoi d'une publication en anglais à un francophone. L'erreur fut rapidement corrigée.

Chambre des communes*

Le suivi de notre vérification de 1986 a permis de constater que l'Administration de la Chambre des communes continue de faire des progrès. Les employés n'ont en général aucune difficulté à servir les députés et le grand public dans les deux langues. Par contre, si les efforts de la direction pour promouvoir l'usage du français au travail ont suscité des progrès encourageants, certains problèmes

persistent à cet égard. Enfin, le pourcentage d'employés anglophones, déjà très bas, a encore légèrement diminué cette année.

Le personnel de la Chambre est dans une large mesure bilingue. C'est ce qui a permis à l'Administration de maintenir un excellent service dans les deux langues malgré une activité de plus en plus intense, tandis que les effectifs demeuraient stationnaires : la Chambre, en effet, a accueilli près de 900 000 visiteurs — 20 p. 100 de plus qu'en 1986 — et les comités parlementaires ont multiplié leurs interventions. Des 1 630 employés, 1 199 occupent des postes exigeant la connaissance des deux langues, et 957 d'entre eux (79,8 p. 100) ont la compétence demandée. Le pourcentage d'employés qui satisfont aux exigences des postes bilingues a augmenté de façon soutenue depuis trois ans, grâce à l'application rigoureuse d'une politique de dotation réservant ces postes aux candidats qualifiés.

Le français et l'anglais sont largement utilisés comme langues de travail, mais l'usage du français laisse à désirer dans certains secteurs spécialisés. À l'Administration, par exemple, le rôle de plus en plus important dévolu aux ordinateurs a joué en faveur de l'anglais, parce que les manuels et la formation s'obtiennent plus facilement dans cette langue. C'est sans doute la raison pour laquelle on produit souvent en anglais les rapports informatisés, et qu'on se trouve ainsi à décourager l'usage du français dans d'autres secteurs.

La proportion de surveillants qui satisfont aux exigences linguistiques de leurs postes bilingues a augmenté de 75 p. 100 en 1985 à 83 p. 100 cette année. À la Direction générale des services de sécurité, cependant, 5 des 22 surveillants — dont la plupart sont anglophones — ne satisfont pas à ces exigences, ce qui constitue manifestement un obstacle à l'usage équilibré des deux langues. Par contre, c'est en 1987 qu'on a vu pour la première fois un groupe d'employés de cette Direction être formés et encadrés en français. Les deux langues sont utilisées dans les réunions, et les documents de travail les plus largement utilisés, tels les manuels et les directives des gestionnaires, sont automatiquement offerts dans les deux langues, tout comme les services centraux et du personnel.

Sur les 1 630 employés de la Chambre des communes, il n'y a que 595 anglophones (36,5 p. 100), ce qui constitue une légère diminution par rapport à l'année dernière. Les anglophones sont mieux représentés dans les catégories Gestion (62 p. 100), Technique (61 p. 100) et Spécialistes (54 p. 100), mais plus des deux tiers des emplois dans les catégories Exploitation et Soutien administratif sont occupés par des francophones. Comme ces deux dernières catégories représentent plus de 1 000 postes, les francophones se trouvent deux fois plus nombreux que les anglophones. L'Administration de la Chambre des communes devrait faire tous les efforts possibles pour recruter des anglophones qualifiés. Fait troublant, sur les 138 employés engagés en 1987, il n'y avait que 48 anglophones (34,8 p. 100) : à ce rythme, les écarts ne seront jamais comblés.

La Chambre des communes a apporté des changements à la gestion de son programme des langues officielles. L'administration des épreuves linguistiques,

et l'enregistrement des résultats, sont mieux organisés. D'autre part, on demande à chaque unité de la Chambre des communes de se fixer des objectifs en matière de langues officielles et de rendre compte des progrès accomplis au cours de l'année qui vient. Un système semblable, en vigueur de 1982 à 1985, s'était révélé un mécanisme efficace de contrôle et de correction. Comme nous étions réticents à le voir abolir, nous nous réjouissons de la mise en place d'un nouveau système de planification et de contrôle.

Nous avons reçu 12 plaintes contre la Chambre des communes en 1987, soit huit de plus qu'en 1986. Trois d'entre elles avaient trait à l'affichage unilingue anglais — ce qui semble indiquer la nécessité d'un contrôle plus rigoureux — et cinq portaient sur le service offert exclusivement en anglais. L'une de ces dernières signalait qu'aux audiences d'un comité permanent, l'interprétation simultanée de propos tenus dans une langue autochtone était offerte en anglais mais non en français. Quatre plaintes touchaient la langue de travail, dont l'une portait sur des séances de formation sur l'évacuation des immeubles en cas d'incendie offertes uniquement en anglais aux responsables bénévoles ; une autre traitait de l'absence de manuel de référence en français dans le cadre d'un projet pilote d'automatisation. La Chambre des communes a réglé rapidement la plupart de ces plaintes.

Chemins de fer nationaux

Deux événements importants ont marqué l'année 1987 aux Chemins de fer nationaux : les chefs de train et les serre-freins à bord des trains de voyageurs ont quitté le CN pour rejoindre Via Rail, et la Société a terminé un sondage sur les langues officielles auprès de ses employés. Si, dans l'ensemble, l'organisme a réalisé les objectifs linguistiques qu'il s'était donnés, son programme des langues officielles présente encore les déficiences que nous avons dénoncées à maintes reprises. Au chapitre de la langue de travail, par exemple, certains éléments de sa politique, ainsi que certaines de ses pratiques, ne respectent toujours pas l'esprit et la lettre de la Loi et de la Constitution. En effet, la Société ne permet pas aux employés de travailler en français dans tous ses établissements du Nouveau-Brunswick et de la région de la Capitale nationale ; le français n'y est généralement autorisé que pour les communications qui touchent les employés sur le plan individuel.

En ce qui a trait aux échanges écrits, les entreprises et le public — y compris les minorités de langue officielle — peuvent attendre du CN une réponse et des documents dans la langue de leur choix. Par contre, c'est uniquement dans les régions bilingues que l'on est sûr de pouvoir parler en français aux préposés. Ailleurs, le client francophone doit s'armer de patience et attendre, parfois longuement, l'arrivée d'un employé bilingue. Notons toutefois que les hôtels de la Société — à l'exception de l'hôtel Newfoundland — et la Tour du CN continuent d'améliorer leur service bilingue.

La Société s'est bien acquittée de ses obligations linguistiques en ce qui concerne les documents de travail, les systèmes informatisés, les programmes de formation et les services centraux et du personnel. Par contre, au siège social de Montréal, elle n'est pas encore parvenue à donner au français la place qui lui revient dans la rédaction, les réunions, l'encadrement et l'évaluation du rendement. De plus, au Nouveau-Brunswick et dans la région de la Capitale nationale, l'usage du français n'est généralement reconnu que pour les échanges touchant directement les employés (concours, promotions, rémunération, avantages sociaux, etc.), ce qui constitue non seulement une dérogation à la politique du gouvernement sur la langue de travail dans les régions bilingues, mais aussi une infraction à la *Loi sur les langues officielles*. Le CN se doit de corriger dans les meilleurs délais cette situation déplorable qui n'a que trop duré.

Cette année encore, le CN ne dispose que de données partielles sur la répartition des deux groupes linguistiques au sein de son effectif. En effet, seuls ont été recensés les secteurs du siège social et de la région du Saint-Laurent. Au siège social, la participation des francophones a diminué de 1,5 p. 100 pour se situer à 30,6 p. 100. Les francophones occupent d'autre part 41 des 152 places (27 p. 100) du siège social qui appartiennent au groupe des 300 postes les plus élevés du réseau, ce qui constitue une légère augmentation. Par contre, on constate qu'en dépit d'une hausse de 1,4 p. 100, leur participation parmi les cadres supérieurs est encore trop faible à 21 p. 100. Enfin, dans la Région du Saint-Laurent, la représentation anglophone a diminué de 2,2 p. 100, mais reste acceptable à 18 p. 100.

En 1987, nous avons reçu 24 plaintes contre le CN comparativement à 22 en 1986. L'hôtel Beauséjour a fait l'objet de 10 plaintes, dont cinq portaient sur l'absence de service en français au kiosque à journaux ; quatre autres hôtels et la Tour du CN ont chacun suscité une plainte. Parmi les autres plaintes, deux touchaient les services du Bureau du CN à Moncton (l'une le Service juridique et l'autre, les Affaires publiques). Compte tenu de la complexité de son organisation, la collaboration du CN au traitement des plaintes s'avère acceptable, et elle s'est améliorée depuis l'an dernier. Pourtant, le règlement de certains cas accuse des retards indus. Ainsi, on n'a toujours pas résolu, depuis deux ans, le problème des adresses unilingues apparaissant sur les enveloppes et le papier à lettres des hôtels de la chaîne et de la Tour du CN.

Commissariat à la protection de la vie privée

L'adoption par le Commissariat à la protection de la vie privée d'une politique des langues officielles et de plusieurs excellentes mesures concrètes devrait lui permettre de corriger les lacunes que notre vérification de 1986 avait mises en lumière.

Le Commissariat n'a aucune difficulté à traiter avec le public dans l'une ou l'autre langue officielle. Cependant, il n'est pas toujours en mesure d'offrir des services de qualité comparable aux coordonnateurs de la protection de la vie privée des autres ministères. Bien que cinq des six enquêteurs de la Direction des plaintes

soient bilingues, un seul l'est à la Direction de l'observation. Étant donné que des enquêtes de cette nature entraînent de nombreux contacts, nous estimons que la majorité des postes d'enquêteur devraient être désignés bilingues.

Présentement, des 16 postes bilingues (sur un total de 20), 14 sont occupés par des titulaires qui satisfont aux exigences requises. Notons cependant que cinq postes seulement exigent une compétence en langue seconde de niveau supérieur. Le Commissariat s'emploie à corriger cette situation.

En dépit de cette importante capacité bilingue, les réunions se déroulent en anglais, par égard aux quelques employés unilingues. Le français est rarement la langue de travail. Encore récemment, tous les rapports d'enquête étaient rédigés dans la langue du plaignant, la plupart du temps l'anglais. Le Commissariat nous a cependant fait savoir qu'il a donné suite à notre recommandation de permettre aux enquêteurs de rédiger leurs rapports dans leur langue d'élection.

Les services centraux et du personnel sont offerts par la Direction de la gestion intégrée, qu'il partage avec le Commissariat à l'information. La Direction jouit d'une excellente capacité bilingue (11 de ses 14 employés) et offre sans difficulté des services dans les deux langues.

Les francophones sont sous-représentés au Commissariat, où ils n'occupent que 4 des 20 postes, dont 2 des 12 postes d'agents. Les trois postes de gestion sont occupés par des anglophones, comme le sont également les six postes à la Direction de l'observation. Étant donné le petit nombre d'employés, il est manifestement difficile d'atteindre à un bon équilibre en matière de participation des deux groupes linguistiques à tous les niveaux et dans chaque catégorie ; ce qui ne devrait pas empêcher le Commissariat de s'attaquer aux inégalités les plus flagrantes.

Comme en 1986, le Commissariat n'a fait l'objet que d'une seule plainte. Elle avait trait à l'accueil téléphonique unilingue et fut résolue avec diligence.

Commissariat à l'information

Le Commissariat à l'information du Canada a réagi favorablement à notre rapport de vérification de 1986 et a pris des mesures qui lui permettront de mieux servir le public dans les deux langues et d'encourager un plus grand usage du français au travail. Il a en effet adopté une politique qui devrait, si elle est bien appliquée, aider à corriger la plupart des faiblesses que notre vérification avaient mises en lumière.

Onze des quinze employés du Commissariat sont bilingues; ainsi, il n'a aucun mal à servir les plaignants dans leur langue. Notre vérification a cependant montré que les enquêteurs ne communiquaient pas nécessairement avec les coordonnateurs de l'accès à l'information des ministères dans la langue d'élection de ces derniers. Le Commissariat a acquiescé à notre recommandation de combler cette lacune.

Trois seulement des sept enquêteurs sont bilingues. Selon nous, cela est insuffisant, étant donné la diversité des contacts auxquels une seule enquête peut donner lieu.

Le Commissariat a accepté d'augmenter le nombre d'enquêteurs bilingues au fur et à mesure que les postes deviennent vacants et de rehausser les exigences linguistiques de certains postes bilingues, ce qui devrait améliorer la qualité du service dans les deux langues. Nous suivrons la situation de près.

L'usage du français comme langue de travail au Commissariat n'est pas ce qu'il pourrait être, en partie parce que la plupart des plaintes sont faites en anglais et que les enquêteurs rédigent leurs rapports dans la langue des plaignants. Le personnel francophone et bilingue s'occupe des plaintes reçues en français, et la direction s'est engagée à rappeler aux enquêteurs qu'ils peuvent rédiger les rapports et d'autres documents dans la langue qu'ils préfèrent.

Le français est rarement utilisé dans les réunions, surtout par égard envers quelques employés anglophones unilingues. Les surveillants sont en mesure de traiter avec les membres du personnel dans la langue de ces derniers, bien que notre vérification ait établi que le poste de conseiller juridique exigeait un niveau plus élevé de connaissance du français. Le Commissariat rehaussera les exigences linguistiques du poste et donnera au titulaire la formation qui s'impose.

Les services centraux et du personnel sont offerts aux employés par la Direction de la gestion intégrée qu'elle partage avec le Commissariat à la protection de la vie privée. Comme 11 des 14 employés de la Direction sont bilingues, les services sont disponibles dans les deux langues.

Des 15 employés du Commissariat, 7 sont francophones, et 8 anglophones. Étant donné ce petit nombre d'employés, il est difficile d'en arriver à un juste équilibre en matière de participation. Le Commissariat devrait néanmoins tenir compte de la faible présence des anglophones lorsqu'elle embauche de nouveaux employés. La situation est sensiblement la même à la Direction de la gestion intégrée où les francophones occupent 10 des 14 postes.

Nous avons reçu une plainte cette année contre le Commissariat. Elle portait sur l'accueil téléphonique unilingue, et elle a été résolue de manière satisfaisante.

Commission de la Capitale nationale

Cette année encore, la Commission de la Capitale nationale s'est mérité la cote d'excellence sur le plan du bilinguisme en offrant au public un service exemplaire. Quoiqu'elle n'ait pas encore entièrement résolu les problèmes reliés à la pleine participation et à la langue de travail, elle a, dans ce dernier domaine, pris de nombreuses initiatives fort prometteuses.

Des 761 employés de la Commission, 452 (59,4 p. 100) occupent des postes bilingues et 350 (77,4 p. 100) ont la compétence linguistique requise — soit les niveaux intermédiaire ou supérieur. Cette forte proportion de bilingues explique sans doute le taux de satisfaction très élevé du public qu'a révélé un sondage effectué en 1986 par la Commission auprès de sa clientèle. La Commission éprouve cependant des difficultés à obtenir de ses concessionnaires le respect de leurs

obligations contractuelles touchant le service bilingue. Notre rapport de 1986 demandait à la Commission d'agir en ce domaine, ce qu'elle a commencé de faire en 1987 en suivant de plus près les pratiques des concessionnaires.

Plus récemment, notre Bureau et la Commission ont entrepris de concert la révision des clauses d'ordre linguistique des baux et contrats, et mis sur pied un programme de visites des concessionnaires. Nous avons ainsi pu constater que plusieurs des restaurants situés dans des édifices de la Commission ont déjà la capacité bilingue voulue. Mais il s'impose à l'évidence que les clauses linguistiques des baux soient rédigés en termes plus précis et plus exigeants. Il faudra aussi, et surtout, que la Commission incite ses concessionnaires à mieux exploiter les ressources bilingues dont ils disposent, et qu'elle leur apporte un appui concret en ce sens.

La Commission devra consentir de grands efforts pour que le français devienne chez elle une langue de travail viable. Les gestionnaires, en particulier, ne semblent pas être conscients des devoirs qu'ils ont en ce domaine, et de leurs responsabilités pour ce qui est de la création d'un climat qui favoriserait l'usage des deux langues au travail. Les services centraux sont généralement dispensés en français et en anglais, mais plusieurs outils de travail n'existent encore qu'en anglais. Par ailleurs, il faudra manifestement beaucoup de détermination pour rompre avec la vieille habitude d'établir tous les écrits en anglais, y compris les documents destinés au Comité de gestion.

Mais il faut aussi signaler des progrès et des initiatives. La direction — qui ici comme ailleurs donne le pas — encourage maintenant l'emploi des deux langues dans les réunions hebdomadaires du Comité de gestion. Qui plus est, les cadres supérieurs sont maintenant évalués en fonction de leur apport au programme des langues officielles. La Commission a aussi embauché un conseiller qu'elle a chargé, entre autres choses, de l'examen des documents de travail afin de relever les anomalies. Depuis, le formulaire d'évaluation du rendement permet aux employés d'indiquer leur préférence linguistique, laquelle, au dire de la Direction du personnel, est respectée. Enfin, le plan relatif à la langue de travail (que nous avions demandé à la Commission de mettre au point en 1986) sera bientôt présenté au Comité de gestion. Nous suivrons avec grand intérêt l'évolution de ce dossier.

À 53,4 p. 100 (406 des 761 postes), le taux de participation globale des anglophones au sein de la Commission est à peu près le même que l'an dernier, et reste trop faible dans toutes les catégories sauf la Gestion. La Commission est consciente de ces déséquilibres, mais fait remarquer que le taux de rotation du personnel est très bas, ce qui rend très difficile la solution de ce problème.

Dix plaintes ont été portées contre la Commission en 1987, deux de moins qu'en 1986. Des sept plaintes visant le service au public, trois concernaient la signalisation ou le service chez des concessionnaires ou des locataires, trois mettaient directement en cause la Commission et une critiquait l'unilinguisme français de la signalisation sur des routes du Québec menant au parc de la Gatineau.

Les trois autres plaintes touchaient la langue de travail : la première portait sur une note de service aux employés distribuée en anglais seulement ; les deux autres, qui sont toujours à l'étude, avaient trait à des cours de formation — l'un destiné aux cadres intermédiaires et l'autre aux employés travaillant avec des bénévoles — offerts en anglais seulement.

La Commission a fait preuve de beaucoup de diligence dans le règlement de ces plaintes.

Commission de la Fonction publique

La Commission de la Fonction publique continue d'être un modèle dans le domaine des langues officielles. Elle met un point d'honneur à assurer le service en français et en anglais, et ses employés peuvent généralement travailler dans leur langue d'élection. Il y a toutefois quelques ombres au tableau : la participation anglophone est inadéquate et la formation professionnelle dispensée aux fonctionnaires du gouvernement n'est pas toujours disponible en langue française.

La grande capacité bilingue du personnel de la Commission, à tous les échelons et dans tous les groupes d'emploi, lui permet d'assurer un service bilingue à ses divers publics. En effet, 81,9 p. 100 des employés (1 833 sur 2 238) occupent des postes bilingues et 92 p. 100 satisfont aux exigences linguistiques de leur poste. Si 24,4 p. 100 des postes bilingues exigent le niveau supérieur, dans les faits, la compétence est encore plus élevée car 59,5 p. 100 des titulaires de postes bilingues ont une compétence supérieure de leur langue seconde. Par ailleurs, chaque bureau régional possède une bonne capacité bilingue ; le traitement de cas spécialisés en région ne devrait donc pas poser de difficultés.

La Commission a réussi de façon générale à créer un milieu où les employés peuvent travailler dans leur langue. Ainsi, la surveillance se fait dans la langue de l'employé et les divers services qui lui sont offerts, tels les services centraux, administratifs, financiers et du personnel, sont disponibles dans les deux langues. De plus, les réunions du Comité de la haute gestion se déroulent en français et en anglais. Pour ce qui est des systèmes informatisés, la Commission s'est fixé des objectifs pour les rendre complètement bilingues et elle a commencé à modifier son équipement à cet effet.

En tant qu'organisme central, la Commission dispense une formation professionnelle aux employés de la Fonction publique. Les francophones se voient souvent privés de cette formation dans leur langue, les cours étant annulés faute d'un nombre suffisant de participants ou parce que la traduction française du cours n'est pas terminée. C'est un problème que nous avons soulevé à plusieurs reprises, notamment dans notre dernier rapport de vérification. Depuis, la Commission a étudié la question et proposé certaines solutions, dont la réduction du nombre minimal de participants francophones en région. Nous souhaitons que la Commission et le Secrétariat du Conseil du Trésor, qui partagent les responsabilités

en ce domaine, continuent de tout mettre en œuvre pour assurer aux francophones et aux anglophones l'égalité d'accès à la formation professionnelle.

La réduction de l'effectif de la Commission, ainsi que le redéploiement de personnel qui en est résulté, lui ont laissé peu de latitude pour corriger les déséquilibres en matière de participation. Ainsi, à 37,5 p. 100 (839 sur 2 238), la participation anglophone dans l'ensemble de la Commission demeure insuffisante. Même si l'on exclut le personnel du Programme de la formation linguistique, qui est surtout composé de professeurs de langue française, la participation anglophone ne se situe qu'à 44,9 p. 100, un déclin de 1 p. 100 depuis 1986. Les anglophones sont particulièrement mal représentés au Soutien administratif où ils ne forment que 32 p. 100 de l'effectif (233 sur 728). La situation s'est toutefois améliorée au Nouveau-Brunswick où on trouve maintenant deux anglophones (14,3 p. 100), alors qu'il n'y en avait aucun l'an dernier.

La Commission a fait l'objet de 19 plaintes en 1987, comparativement à sept l'an dernier. Huit d'entre elles portaient sur la formation professionnelle offerte en français mais annulée. Sept plaintes avaient trait à la langue de service, deux à la presse minoritaire, une autre à la participation équitable et la dernière à une employée anglophone qui avait reçu de la correspondance en français. La Commission a maintenu son excellente collaboration dans le traitement de ces plaintes, intervenant directement auprès des gestionnaires en cause.

Communications

Après avoir connu des difficultés avec son programme des langues officielles en 1986 (à la suite surtout d'une réorganisation considérable), le ministère des Communications retrouve enfin un degré d'activité normal. Il a adopté de nombreuses mesures destinées à améliorer son rendement sur les plans du service au public, de la langue de travail et de la pleine participation, mais plusieurs de ces mesures n'ont pas encore donné de résultats.

Le Ministère n'éprouve aucune difficulté réelle à offrir à ses clients un service dans les deux langues. Les bureaux régionaux ont noué des relations étroites avec des groupes de langue minoritaire afin de permettre au Ministère de s'acquitter de ses obligations dans les domaines des arts et de la culture. Sauf exceptions mineures, l'Agence des télécommunications gouvernementales, qui fait partie du Ministère, a fait placer des inscriptions bilingues dans les pages bleues des annuaires téléphoniques municipaux, et les personnes qui désirent obtenir des licences de radioamateur peuvent communiquer avec le Ministère dans la langue de leur choix. Malgré tous les efforts, cependant, on n'arrive toujours pas à assurer l'offre active de service dans les deux langues à l'accueil téléphonique.

Dans le domaine de la langue de travail, le Ministère, comme bien d'autres à vocation scientifique et technique, a établi divers mécanismes visant à promouvoir l'usage du français, mais les résultats obtenus sont minces. Dans certains cas,

les mécanismes eux-mêmes traduisent un problème systémique. Par exemple, le Ministère s'est entendu avec la Direction générale des opérations de traduction du Secrétariat d'État pour la traduction des appréciations du rendement annuelles. Or le fait qu'une telle entente soit nécessaire indique qu'un nombre important de surveillants théoriquement bilingues ne connaissent pas encore suffisamment leur langue seconde pour l'utiliser dans cette fonction élémentaire d'encadrement.

La question de la langue de travail est en outre aggravée par les déséquilibres dans la représentation. Alors que la participation francophone globale est élevée (33,3 p. 100 des 2 239 employés), elle est largement due à un taux excessif dans les catégories Administration et service extérieur et Soutien administratif — respectivement 40,6 p. 100 de 561 et 44,9 p. 100 de 626 employés. Dans les catégories Scientifiques et spécialistes et Technique (les domaines clés du Ministère), elle est de 21,6 p. 100 de 338 et de 22,4 p. 100 de 557 employés. Par contre, les francophones occupent 26,9 p. 100 des 93 postes dans la catégorie Gestion, quoiqu'on ne trouve qu'un seul francophone parmi les huit cadres supérieurs. Quant à la participation anglophone au Québec, elle a encore diminué en 1987, pour atteindre un lamentable 2 p. 100 (3 des 150 postes).

Les gestionnaires du Ministère sont responsables de la planification et de la mise en œuvre du programme des langues officielles. Les divisions des langues officielles et de la vérification interne collaborent à un certain nombre de mesures de contrôle des programmes, et elles ont découvert entre autres choses que certains gestionnaires ne tenaient aucun compte des critères des langues officielles dans leurs appréciations annuelles. Ces faiblesses seront corrigées.

Le Ministère a fait l'objet de huit plaintes en 1987, qui portaient toutes sur la langue de service. La moitié d'entre elles mettaient en cause l'Agence des télécommunications gouvernementales : on critiquait la qualité des inscriptions en français dans les annuaires téléphoniques. Les autres avaient trait à un communiqué de presse, une brochure, une licence d'opérateur radio et un renouvellement de licence. La Division des langues officielles les a traitées avec célérité et efficacité.

Condition physique et sport amateur

Condition physique et sport amateur a poursuivi le travail entrepris en 1986. En plus de maintenir sa bonne capacité bilingue, l'organisme a intensifié ses efforts en faveur d'une utilisation plus équitable des deux langues officielles dans les activités des organismes de conditionnement physique et de sport amateur qu'il subventionne. Sur le plan interne, cependant, il y aurait lieu de prendre des mesures plus énergiques pour assurer au français la place qui lui revient comme langue de travail et d'augmenter le nombre d'anglophones occupant des postes de soutien administratif.

Plus des deux tiers de ses employés étant bilingues, Condition physique et sport amateur n'éprouve aucune difficulté sérieuse à servir le public dans les deux

langues officielles. Il n'en va pas de même de la centaine d'associations nationales de sports, de conditionnement physique et de loisirs qu'il subventionne chaque année. Afin d'améliorer leur capacité bilingue, on a mis sur pied en 1984 un programme d'aide financière les incitant à se doter de plans annuels en matière de langues officielles. En 1987-1988, elles seront 67 associations — 20 de plus qu'en 1986-1987 — à se partager un peu plus de 300 000 $ pour la traduction, l'interprétation et la formation linguistique.

La grande majorité des associations nationales sont maintenant en mesure d'offrir à leurs membres et au public certains services dans les deux langues officielles. Le Centre national du sport et de la récréation, organisme privé qui a pour mandat d'offrir des services administratifs à 85 de ces associations et dont près de la moitié du budget provient de Condition physique et sport amateur, rémunère 42 employés de soutien bilingues qui sont à l'emploi de ses associations membres.

Condition physique et sport amateur a amélioré — en ce qui a trait aux services médicaux et de sécurité, aux relations avec la presse et au service au public — la clause linguistique de l'accord régissant sa contribution financière aux Jeux du Canada. On souhaite l'application d'une clause semblable à tous les événements sportifs, nationaux et internationaux, subventionnés par l'organisme.

Les principaux instruments de travail — manuels de procédures, directives, etc. — existent dans les deux langues officielles. Cependant, le niveau de bilinguisme (intermédiaire) exigé de certains gestionnaires n'est pas suffisant et nuit au libre choix de certains employés. De plus, le Comité de gestion devrait accorder plus de place au français lors de ses réunions en distribuant sous forme bilingue les ordres du jour, les comptes rendus et la documentation. Enfin, nous encourageons fortement Condition physique et sport amateur à distribuer à tous ses employés un questionnaire sur l'usage des deux langues officielles au travail afin de mieux cerner ses lacunes dans ce domaine.

Au nombre de 24 sur 71 (33,8 p. 100), les francophones sont surreprésentés au sein de l'organisme. Un cadre supérieur sur 3 et 9 agents sur 42 (21,4 p. 100) sont francophones. C'est dans la catégorie Soutien administratif qu'on note le déséquilibre le plus important, les anglophones n'y occupant que 12 postes sur 26 (46,2 p. 100).

En 1987, l'équipe responsable de l'administration du programme des langues officielles a été renouvelée. Elle devrait maintenant être en mesure d'intensifier ses efforts sur tous les fronts.

Nous avons reçu six plaintes en 1987, une de moins que l'année dernière. Toutes concernaient le service au public : trois touchaient Condition physique et sport amateur, et trois des événements sportifs subventionnés. L'organisme s'est empressé de régler ces plaintes.

Conseil de la radiodiffusion et des télécommunications canadiennes

Le Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) se signale par la constance avec laquelle il dessert sa large clientèle dans les deux langues officielles, et en particulier par la qualité linguistique des services offerts aux minorités de langue officielle. Toutefois, le français n'occupe qu'une place marginale comme langue de travail et la gestion du programme des langues officielles pourrait être renforcée. Pour ce qui est de la participation, des déséquilibres persistent dans quatre des cinq catégories d'emploi.

De façon générale, le public peut recevoir du CRTC des services dans la langue de son choix, que ce soit au téléphone, en personne ou par écrit. Chaque année, le Conseil produit simultanément dans les deux langues plus de 2 000 documents et répond, à l'administration centrale, à plus de 14 000 demandes de renseignements au téléphone. De plus, ses audiences publiques se tiennent dans les deux langues dans les régions bilingues ; ailleurs, on peut obtenir les services d'un interprète. Les quatre bureaux régionaux ont une capacité bilingue acceptable, bien que l'accueil téléphonique n'y soit pas toujours assuré dans les deux langues.

Si les francophones peuvent travailler dans leur langue dans certains secteurs, le français n'occupe pourtant pas la place qui lui revient à travers l'organisme. En effet, 23 des 75 surveillants ont une connaissance insuffisante du français. Règle générale, les réunions des divers comités du Conseil se tiennent en anglais et les documents que l'on y présente sont rédigés dans cette langue. Toutefois, l'automne dernier, le CRTC a commencé à traduire les procès-verbaux des réunions de certains comités.

La participation des anglophones au sein du Conseil est nettement insuffisante à 49,3 p. 100 (197 sur 400). Au Soutien administratif, elle n'est que de 29,1 p. 100 (37 sur 127), et elle reste inacceptable dans la catégorie Administration et service extérieur, bien qu'elle soit passée de 50,5 p. 100 en 1986 à 52,5 p. 100 (106 sur 202) cette année. D'autre part, si la participation des francophones est équitable dans la catégorie Gestion (10 sur 31), ils ne sont que 6 sur 33 dans la catégorie Scientifiques et spécialistes.

En ce qui a trait à la gestion du programme des langues officielles, la situation n'a pas évolué et des progrès s'imposent. En effet, les directives écrites sont rares et les gestionnaires n'ont toujours pas d'objectifs à court ou à long terme en cette matière. Au surplus, il n'existe pas de mécanismes de contrôle.

Nous avons reçu une plainte contre le Conseil cette année portant sur la presse de langue officielle minoritaire. En 1986, le CRTC avait fait l'objet de cinq plaintes.

Conseil de recherches médicales*

D'après la vérification linguistique que nous avons menée en 1987, le Conseil de recherches médicales n'arrive pas à faire les progrès requis en matière de

langues officielles. Même s'il a pu s'améliorer quelque peu depuis notre étude de 1980, notamment au chapitre de la langue de service, il lui reste des lacunes importantes à combler en ce qui concerne les services offerts aux chercheurs francophones, la langue de travail et l'administration du programme des langues officielles.

Le Conseil est un organisme ayant pour fonction de promouvoir la recherche dans le domaine des sciences de la santé au Canada, au moyen de bourses et de subventions. Il a publié des guides à l'intention des chercheurs, qui constituent son principal public, les informant qu'ils pouvaient recevoir des services bilingues et correspondre avec lui dans la langue de leur choix. Il s'agit là d'une nette amélioration dans le domaine du service au public. De plus, ses publications officielles sont bilingues.

Par contre, notre vérification indique que le Conseil, s'il veut vraiment favoriser le français comme langue scientifique au Canada, doit agir sans délai pour éliminer les obstacles à son usage dans le processus d'octroi de bourses et de subventions. En effet, notre sondage a révélé que 28 chercheurs francophones sur 45 — soit 62,2 p. 100 — avaient soumis leur demande de subvention en anglais à cause de contraintes linguistiques identifiées ou perçues à l'étape de l'évaluation de leur demande. La vérification a également révélé des déficiences du service téléphonique et de la correspondance avec la communauté scientifique francophone. On a donc recommandé au Conseil d'offrir un service de qualité égale dans les deux langues à tous les numéros de téléphone susceptibles d'être composés par sa clientèle, de se doter d'un mécanisme de contrôle systématique de la qualité des lettres écrites en français et de respecter les préférences linguistiques de ses correspondants.

Au chapitre de la langue de travail, le français se trouve défavorisé du fait que certains surveillants — notamment à la direction des programmes — n'en ont pas une connaissance suffisante ; du reste, certains employés francophones ne sont ni encadrés, ni évalués dans leur langue. D'autre part, plusieurs textes relatifs aux réunions (documents internes, ordres du jour, avis de convocation et correspondance) ne sont rédigés qu'en anglais. De même, le français n'occupe pas la place qui lui revient aux réunions et seuls les procès-verbaux du Comité de direction et du Conseil sont bilingues. Bien que le Conseil soit généralement en mesure de fournir ses services centraux dans les deux langues officielles, nous avons noté certaines lacunes dans ce domaine, dont l'absence de service en français à la section de l'informatique et le fait que la formation interne ne soit pas toujours donnée dans les deux langues officielles. Par ailleurs, le Conseil n'ayant pas cherché à connaître les préférences linguistiques de ses nouveaux employés depuis 1983, nous lui avons recommandé de remédier à cette situation et de s'assurer que ces préférences soient respectées par tous les secteurs appelés à desservir l'ensemble des employés.

Dans le domaine de l'administration du programme des langues officielles, notre vérification fait apparaître que les employés devraient être mieux informés de la politique du Conseil en cette matière. Ce dernier devrait également établir des objectifs précis à l'intention de ses directions, instaurer des mécanismes de contrôle qui en assureraient la mise en œuvre et demander aux gestionnaires de rendre des comptes à cet égard. Il y aurait également lieu de revoir les exigences linguistiques de certains postes à la lumière des responsabilités qui y sont associées.

Tout comme l'an dernier, le Conseil n'a fait l'objet d'aucune plainte en 1987.

Conseil des Arts

Dans l'ensemble, la situation linguistique n'a guère changé au Conseil des Arts, bien qu'on ait enregistré certains progrès en ce qui a trait à la gestion du programme des langues officielles. Comme par le passé, il semble que le Conseil soit en mesure d'offrir ses services au public dans la langue appropriée. La participation anglophone demeure cependant insuffisante.

Bien que 228 des 234 employés du Conseil occupent des postes bilingues, il est difficile de connaître leur capacité réelle à servir la clientèle en français et en anglais puisqu'on n'a pas encore évalué leur compétence en langue seconde. L'organisme a toutefois entrepris de le faire à la fin de 1987. L'affichage et l'accueil téléphonique sont bilingues, et les publications destinées au grand public sont habituellement disponibles dans les deux langues officielles. Mentionnons à cet égard que, contrairement à l'an dernier, la documentation relative au programme *Début Atlantique* — un programme subventionné en partie par l'Office des tournées du Conseil — a été diffusée simultanément dans les deux langues cette année.

Les services centraux, financiers et du personnel sont également offerts dans les deux langues. Au printemps, le Conseil a rappelé à ses gestionnaires sa politique exigeant que tous les instruments de travail soient disponibles dans les deux langues. Il n'en demeure pas moins que le français n'occupe pas la place qui lui revient comme langue de travail. Cadres et employés se sentent obligés de rédiger des notes préparatoires en anglais à l'intention des membres du Conseil d'administration, dont 14 sur 21 sont unilingues anglophones. La direction se doit d'inciter les francophones à travailler dans leur langue et de leur donner les moyens de le faire, notamment un service de traduction rapide. Par ailleurs, les employés francophones ne sont pas toujours encadrés dans leur langue puisqu'un certain nombre de chefs de service anglophones sont unilingues ou ne possèdent qu'une connaissance limitée du français. Par suite d'une plainte que nous avions portée à son attention, le Conseil a offert une formation linguistique à l'un d'entre eux ; il reste à voir s'il en fera autant pour les autres.

Le taux de participation global des anglophones est passé cette année de 40 à 39 p. 100, ce qui demeure trop bas. Ce déséquilibre est particulièrement marqué

au sein du Soutien administratif (14 employés sur 100) ainsi qu'au Service administratif (55 sur 99).

C'est au chapitre de la gestion du programme des langues officielles que le Conseil a réalisé des progrès en 1987. Donnant suite à la recommandation de notre vérification de 1983, il a révisé sa politique des langues officielles, alors jugée désuète. Il a également défini des procédures touchant la mise en œuvre de son programme et déterminé les exigences linguistiques de ses postes bilingues. Le Conseil devra maintenant s'assurer que les titulaires de ces postes ont bien la compétence requise, et veiller au respect de sa politique et de ses procédures.

Nous avons reçu trois plaintes contre le Conseil cette année. L'une portait sur la nomination d'un chef de service unilingue, une autre, sur un débat public tenu par la Banque d'œuvres d'art qui s'était déroulé en anglais seulement. La troisième, qui touchait l'utilisation de la presse de langue officielle minoritaire, est toujours à l'étude.

Conseil des Sciences*

Depuis notre dernière mention dans le Rapport annuel de 1984, le Conseil des Sciences du Canada — composé de 30 universitaires et représentants de l'industrie — a subi d'importantes coupures de personnel : ayant perdu 23 de ses employés, il ne lui en reste plus que 29. Cependant, un suivi linguistique effectué cette année a révélé que le Conseil se conforme toujours à des normes exigeantes en matière de bilinguisme.

Ainsi, malgré son personnel réduit, le Conseil offre activement des services bilingues, en personne et au téléphone ; il affiche dans les deux langues, et répond à ses correspondants dans la langue qu'ils ont choisie. Mais c'est la diffusion de son bulletin et de ses publications qui mérite les éloges les plus chaleureux. En tenant à jour une liste d'expédition de 18 000 noms, il parvient à respecter, dans l'étiquetage et le contenu de tous les envois, la préférence linguistique des destinataires.

Pour les délibérations trimestrielles de ses membres, le Conseil prévoit des ordres du jour et des comptes rendus bilingues et fournit un service d'interprétation simultanée. La présence de scientifiques bilingues, et l'existence de sources de référence en français et en anglais, permet aux comités d'effectuer leurs études et leurs travaux dans l'une ou l'autre langue. Les réunions se tiennent souvent dans les deux langues et font appel au bilinguisme réceptif des participants. Les services centraux et du personnel sont bilingues, de même que l'encadrement, les manuels et les notes adressées à l'ensemble du personnel.

Les employés francophones du Conseil sont au nombre de 9 sur 29 (31 p. 100), proportion qui dépasse la norme. Le roulement du personnel est peu important, sauf chez les scientifiques. La présence de ces derniers dépend en effet des sujets

à l'étude. Le Conseil éprouve des difficultés à attirer des chercheurs francophones : en ce moment, il n'en a qu'un seul. Bref, le déséquilibre de la représentation qui nous a préoccupés lors de notre vérification de 1982 existe toujours. Le Conseil nous assure toutefois qu'il garde à l'esprit l'objectif d'une représentation équitable parmi ses scientifiques, et les efforts récents de dotation ont au moins permis de combler ses deux postes de scientifiques bilingues par des titulaires satisfaisant aux exigences linguistiques. Nous avons constaté, par ailleurs, que les titulaires de quatre autres postes bilingues (sur 19) ne satisfont pas aux exigences. Le Conseil devrait corriger cette situation.

Les gestionnaires du Conseil ont une idée précise de leurs obligations linguistiques en matière de service au public et aux membres du Conseil, de bilinguisme des publications et de droits des employés. Plutôt que d'élaborer sa propre politique linguistique, le Conseil s'en tient à celle formulée par les organismes centraux. Les résultats obtenus justifient pleinement cette approche.

Le Conseil a fait l'objet d'une seule plainte en 1987. Celle-ci touchait la langue de travail d'un comité du Conseil et la participation équitable parmi les scientifiques.

Conseil du Trésor

Le Secrétariat du Conseil du Trésor continue d'améliorer sa performance linguistique, notamment au chapitre de la langue de travail. On a maintenu, en 1987, l'offre active d'un service bilingue de qualité. Par contre, le Secrétariat n'a pas encore corrigé les déséquilibres de la participation des deux groupes linguistiques sur le plan sectoriel.

Les services du Secrétariat sont offerts spontanément dans les deux langues ; l'affichage ainsi que l'accueil téléphonique sont complètement bilingues. Le Secrétariat est pourvu d'une bonne capacité bilingue : 81 p. 100 des postes exigent les deux langues comparativement à 77,5 p. 100 l'an dernier, et le pourcentage de titulaires qui satisfont aux exigences se situe toujours à 90 p. 100. De plus, le nombre de postes bilingues exigeant le niveau supérieur est passé de 60 à 101. Une seule ombre au tableau : la société Great West, choisie par le Secrétariat pour administrer le nouveau plan d'assurance-dentaire des fonctionnaires, ne parvient pas à leur offrir en tout temps un service bilingue.

Sur le plan interne, le Secrétariat continue d'encourager un usage équitable des deux langues officielles. Ainsi, il mène actuellement un sondage sur la langue de travail afin de repérer les lacunes qui pourraient persister à cet égard. De plus, il a entrepris de réviser à la hausse les exigences des postes pour tenir compte des besoins du personnel en matière d'encadrement : ce processus sera terminé au début de 1988. (À l'heure actuelle, 140 surveillants sur 161, ou 87 p. 100, répondent aux exigences de leur poste.) Par ailleurs, le Comité de gestion prêche par l'exemple en tenant des réunions dans les deux langues. Soulignons en passant que les neuf membres de ce comité sont parfaitement bilingues.

Les lacunes notées l'an dernier au chapitre des circulaires et des notes de service ont été corrigées, celles-ci étant désormais diffusées dans les deux langues. Les systèmes informatiques fonctionnent en français et en anglais, sauf celui des systèmes financiers qui n'est pas encore complètement bilingue. Les employés ont accès aux services centraux et du personnel dans la langue officielle de leur choix : en effet, près des deux tiers des postes de l'administration sont bilingues (50 sur 78) et tous les titulaires satisfont aux exigences de leur poste. Cependant, un seul de ces cinquante postes exige un niveau de connaissance supérieur de la langue seconde.

Le Secrétariat compte 736 employés, dont 259 francophones (35,2 p. 100) et 477 anglophones (64,8 p. 100). Dans la catégorie Scientifiques et spécialistes, seuls quatre des 32 employés sont francophones (12,5 p. 100), ce qui est beaucoup trop peu. Les francophones sont également sous-représentés dans la catégorie Gestion (21 p. 100), pour laquelle le Secrétariat s'est fixé un objectif de 26 p. 100. Les anglophones, quant à eux, sont toujours sous-représentés dans le Soutien administratif (44 p. 100), et chaque direction reçoit à ce sujet, en guise de rappel, un rapport trimestriel.

La haute direction du Secrétariat a toujours accordé de l'importance à la question des langues officielles. Les gestionnaires sont tenus de se fixer des objectifs à ce sujet et ceux-ci sont inclus dans l'évaluation annuelle de leur rendement. Au milieu de 1987, la Direction des langues officielles a préparé un rapport sur la situation dans son ensemble. Bref, le programme est bien géré.

Nous avons reçu quatre plaintes contre le Secrétariat en 1987, comparativement à huit l'an dernier. Trois de ces plaintes concernaient l'unilinguisme anglais des services de la société Great West.

Consommation et Corporations

La situation au ministère de la Consommation et des Corporations est demeurée stationnaire en 1987 bien qu'on ait pu déceler à la gestion un support accru au programme des langues officielles. Quoique le Ministère a maintenu une capacité bilingue satisfaisante à l'administration centrale et au Québec, il faut déplorer une insuffisance à ce chapitre ailleurs au pays. Cette situation est imputable à des réductions de l'effectif et à l'abolition progressive de certains postes exigeant de fréquents rapports avec le public. Par ailleurs, le français ne jouit pas d'un traitement équitable en tant que langue de travail. Pour ce qui est de la pleine participation des deux groupes linguistiques, aucune amélioration n'a été enregistrée cette année.

En offrant dans toutes les régions un service téléphonique gratuit dans les deux langues officielles, le Ministère avait réussi, en 1986, à compenser en partie la perte de capacité bilingue due à la réduction des effectifs régionaux de la Direction des services aux consommateurs. L'abolition de ce service, en 1987, a eu de fâcheuses conséquences. Les services spécialisés sont particulièrement touchés :

les responsables doivent maintenant trouver eux-mêmes les moyens de servir la clientèle aussi bien en français qu'en anglais. Nous avons donc recommandé au Ministère, dans notre rapport de vérification, d'augmenter le nombre d'employés effectivement bilingues dans les régions de l'Atlantique, de l'Ontario et de la Prairie. La mise en œuvre rapide de cette recommandation s'impose donc, surtout après la suppression du service téléphonique de libre appel.

Du côté de la langue de travail, les résultats du sondage que nous avons effectué à l'administration centrale indiquent qu'aucun progrès important n'a été accompli depuis notre vérification de 1981. Si 78 p. 100 des répondants anglophones disent travailler au moins la moitié du temps dans leur langue, cette proportion tombe à 38 p. 100 dans le cas des employés francophones. Comment pourrait-il en être autrement quand, au Bureau de la politique de concurrence, par exemple, 11 des 49 surveillants ne satisfont pas aux exigences linguistiques de leur poste et que de tous les autres, 2 seulement possèdent un niveau supérieur de compétence dans leur langue seconde. Là comme ailleurs, les notes et documents sont rédigés presque exclusivement en anglais, que leur auteur soit francophone ou anglophone. Seul le Comité de gestion du Ministère, qui fonctionne maintenant dans les deux langues, fait exception. Dans les régions, la situation en matière de langue de travail s'est détériorée depuis 1981, ce qui nous a incités à recommander au Ministère d'inclure dans sa politique sur les langues officielles des directives touchant la langue des documents.

À l'administration centrale de même qu'au Québec, les employés sont, en règle générale, servis dans leur langue d'élection par les services centraux et la Direction du personnel. Comme la situation à cet égard reste insatisfaisante dans les autres régions bilingues, nous avons, une fois de plus, recommandé aux gestionnaires responsables de prendre les mesures appropriées.

Dans le dossier de la pleine participation des deux groupes linguistiques, il faut noter un certain recul en 1987. Globalement, la participation des francophones demeure nettement trop forte, à 37 p. 100. Mais dans la catégorie Gestion, où ils étaient déjà sous-représentés à 21,6 p. 100, les francophones ne comptent plus que pour 19,4 p. 100 de l'effectif, n'y occupant que 14 des 72 postes de cadres supérieurs. Au Bureau de la politique de concurrence, aucun des 17 membres des groupes de la gestion supérieure et de la direction n'est francophone. Dans la catégorie Soutien administratif (dont l'effectif est passé de 827 à 734), les anglophones n'occupent encore que la moitié de ces postes. Au Québec, après avoir grimpé à 5,7 p. 100 en 1986, leur taux de participation est tombé à 5 p. 100. Notre rapport de vérification renferme des recommandations détaillées à ce sujet.

La gestion supérieure a donné un appui ferme au programme des langues officielles et les gestionnaires doivent maintenant atteindre des objectifs précis afin que l'exercice de planification ait un impact. En outre, les vérifications internes n'abordent pas les questions de langue. Aussi avons-nous recommandé au Ministère l'établissement de critères précis afin que les vérifications qui seront effectuées après le 31 mars 1988 portent également sur sa situation linguistique.

Le nombre de plaintes reçues contre le Ministère est passé de quatre en 1986 à 12 en 1987. Neuf d'entre elles concernaient le service au public ; l'une, la langue de travail ; les deux autres, la pleine participation. Comme d'habitude, le Ministère a réagi avec célérité et efficacité.

Contrôleur général

Le Bureau du Contrôleur général a augmenté sa capacité bilingue cette année, mais il a peu fait pour encourager l'usage du français comme langue de travail ou pour accroître le nombre de ses gestionnaires francophones. Suite à nos nombreuses recommandations, il a porté à un niveau supérieur les exigences linguistiques d'un certain nombre de ses postes bilingues. Bien qu'il soit pleinement en mesure d'offrir à ses clients un service dans les deux langues officielles, il ne le fait pas toujours spontanément, et la plupart de ses groupes de travail fonctionnent exclusivement en anglais.

De ses 145 employés, 103 sont considérés comme bilingues. Cette année, le Bureau a relevé les exigences linguistiques de 50 postes bilingues, les portant au niveau supérieur de compétence en langue seconde. Un bon service est offert aux organismes et ministères où le français est largement utilisé. Par contre, lors d'ateliers ou de présentations s'adressant à des groupes de fonctionnaires de divers autres ministères, le Bureau ne donne pas toujours aux participants la possibilité de s'exprimer en français. Cette façon de procéder de la part d'un organisme de contrôle aussi important dans le domaine de la gestion constitue un mauvais exemple pour l'ensemble de la Fonction publique fédérale. D'un autre côté, il faut se réjouir du fait que sa Direction générale de l'évaluation des programmes ait entrepris, de concert avec le Conseil du Trésor du Québec, l'élaboration de meilleurs cours en français sur les méthodes de gestion. Cette initiative devrait donner des résultats l'an prochain.

Au Bureau, le français est peu utilisé comme langue de travail, et les réunions se déroulent généralement en anglais par égard pour les unilingues. On a tenté cette année de tenir des réunions dans les deux langues, mais sans beaucoup de succès. Il y a tout lieu de croire que le français y restera sous-utilisé tant et aussi longtemps que n'augmentera pas le nombre de cadres francophones.

Les francophones constituent 25 p. 100 de l'ensemble du personnel, mais presque la moitié d'entre eux appartiennent à la catégorie Soutien administratif. Bien que seulement 8 des 61 cadres supérieurs soient francophones (13,1 p. 100), cela constitue une amélioration par rapport à l'an passé, alors que leur taux de participation n'était que de 8,6 p. 100. Les cadres supérieurs représentent près de la moitié de tout le personnel, et le Bureau s'est donné l'objectif ambitieux d'augmenter la proportion de francophones dans cette catégorie à 20 p. 100 d'ici octobre 1988. Pourtant, des six employés embauchés dans cette catégorie au cours des dix premiers mois de 1987, un seul était francophone alors même que 30 p. 100 des spécialistes en finance dans la région de la Capitale nationale sont francophones.

La gestion du programme des langues officielles du Bureau laisse à désirer. En particulier, le Bureau devrait revoir sa politique touchant les communications entre ses employés et les autres fonctionnaires pour faire en sorte qu'elles se déroulent dans la langue du client. Il lui faut également renforcer ses mécanismes de surveillance pour s'assurer que la situation s'améliore en ce qui a trait à la langue de travail et la pleine participation.

Nous n'avons reçu aucune plainte contre le Bureau cette année.

Corporation commerciale canadienne*

Depuis l'année 1984, où elle avait fait l'objet d'une vérification linguistique et d'une mention dans notre Rapport annuel, la Corporation commerciale canadienne a connu plusieurs transformations. À la suite de l'intégration, en juin 1986, de la direction générale des Approvisionnements pour l'exportation, qui relevait auparavant du ministère des Approvisionnements et Services, elle a vu son effectif passer d'une vingtaine d'employés à près de 120. Puis elle a dû accepter une diminution de ses ressources, et son effectif n'est plus que de 106 employés. Un suivi récent nous a montré que sur le plan linguistique, cet organisme continue à marquer le pas.

Dans la réalisation de son mandat, qui consiste à servir d'intermédiaire dans les ventes de fournisseurs canadiens à des gouvernements étrangers ou des organismes internationaux, la Corporation réagit à la demande de services en français plus qu'elle n'en fait l'offre. Nous croyons qu'elle devrait offrir activement, aux entreprises canadiennes et à leur clientèle, les services en français aussi bien qu'en anglais. En effet, malgré quelques faiblesses pour ce qui est des agents de projets et du personnel de soutien de certains secteurs, elle dispose d'un nombre convenable d'employés bilingues (43 sur 106, ou 40,6 p. 100) : ce sont les mesures visant à sensibiliser le personnel à l'importance du service bilingue qui font défaut. Par contre, l'accueil, l'affichage, les publications, la facturation et les inscriptions à l'annuaire téléphonique sont bilingues.

La structure des échanges, dont 80 p. 100 touchent les agences du gouvernement américain, influe de toute évidence sur la langue de travail. Nous croyons néanmoins que la Corporation devrait, dans la mesure du possible, modifier la répartition de son personnel de manière à faciliter le travail dans la langue officielle choisie par l'employé. Dans une certaine mesure, ce critère détermine déjà l'attribution des tâches, mais de façon temporaire. Nous avons aussi observé chez les surveillants une connaissance insuffisante des obligations linguistiques et des droits correspondants des employés. Par ailleurs, la quasi-totalité des réunions se tiennent en anglais. Les ordinateurs fonctionnent en anglais et produisent des relevés uniquement dans cette langue. Les principaux manuels de référence existent dans les deux langues, mais en volumes distincts ; il s'ensuit que plusieurs employés

ignorent l'existence de la version française. Les services centraux sont en anglais et seuls quelques services du personnel sont fournis dans les deux langues.

L'effectif de la Corporation comprend 26,4 p. 100 de francophones et 73,6 p. 100 d'anglophones, proportions tout à fait acceptables pour l'ensemble. Par contre, pour ce qui est de la répartition des deux groupes linguistiques à travers la hiérarchie, on remarque toujours une faible représentation francophone dans l'administration des programmes (6 employés sur 42, ou 14,3 p. 100).

C'est du côté du contrôle du programme des langues officielles que nous avons observé les déficiences les plus marquées. Les tests linguistiques ne devant réapparaître qu'en avril 1988, la Corporation ne possède pas de données fiables sur la capacité des titulaires de postes bilingues, et il n'existe aucun dispositif officiel pour l'enregistrement de la préférence linguistique des employés. Par ailleurs, à la faveur du dépôt du projet de loi sur les langues officielles, la Corporation se propose de sensibiliser son personnel à ses obligations linguistiques et de faire connaître à ses clients et fournisseurs les services bilingues qu'elle offre. Nous l'encourageons à poursuivre ces deux démarches, ainsi que la refonte de sa politique linguistique en fonction des changements d'organisation qu'elle a subis.

La Corporation n'a fait l'objet d'aucune plainte en 1987. Elle n'en avait suscité qu'une seule dans les deux années précédentes, à propos de l'accueil unilingue anglais à l'une de ses lignes téléphoniques internes.

Défense nationale*

Le ministère de la Défense nationale regroupe à lui seul le tiers des effectifs globaux du gouvernement fédéral à l'exception des sociétés de la Couronne : 85 942 membres des Forces canadiennes et 32 446 employés civils. Il joue donc un rôle de premier plan dans la réforme du régime linguistique, et il influe directement sur la qualité de vie de milliers de familles dans les bases militaires au Canada et à l'étranger.

En 1987, nous nous sommes concentrés sur le problème de l'utilisation du français au travail. L'année a commencé par une initiative peu courante du Commissaire : le dépôt d'un rapport spécial au Gouverneur en conseil sur les obstacles à l'usage du français au quartier général de la Défense. Elle a pris fin sur une note plus optimiste, le Ministère s'étant engagé à mettre en œuvre un train de mesures décisives. Entre-temps, il a entrepris de revoir les exigences linguistiques de tous ses postes, de renseigner le personnel sur ses droits et obligations en matière de langues officielles, et d'établir un comité directeur chargé de promouvoir l'usage du français au quartier général. Il s'agit d'une liste impressionnante de mesures qui se faisaient attendre depuis longtemps ; seuls les résultats concrets, toutefois, nous permettront d'en juger l'efficacité. En attendant, à la Défense nationale, le francophone ordinaire qui veut travailler dans sa langue se heurte chaque jour à des obstacles solidement établis.

C'est parce que dix ans n'ont pas suffi au Ministère pour donner au français la place qui lui revient en milieu de travail que le Commissaire a décidé d'avoir recours aux grands moyens en soumettant un rapport spécial au gouverneur en conseil. Ce rapport identifie trois grands obstacles à l'usage du français : l'unilinguisme des documents techniques et de la formation spécialisée à l'intention des militaires, et l'affectation de titulaires unilingues à des postes bilingues. Même si ces problèmes avaient fait l'objet de recommandations dès 1977, le Ministère n'avait toujours pas remédié à la situation. Déçu par la réaction initiale du gouvernement à son rapport, le Commissaire l'a soumis une seconde fois au gouverneur en conseil.

Dans sa nouvelle réponse, le gouvernement reconnaît le sérieux retard accusé par le Ministère au chapitre de la langue de travail et propose une série de mesures destinées à redresser la situation. Ainsi, l'intégration des responsabilités en matière de langues officielles aux objectifs opérationnels vient fortement accentuer l'engagement du Ministère envers la réforme linguistique. En outre, le Conseil du Trésor autorisé le Ministère à prendre les mesures nécessaires pour réduire l'arriéré des travaux de traduction technique ; dorénavant, la documentation bilingue est exigée non seulement pour tout nouveau matériel mais aussi aux fins de la formation du personnel. Enfin, on a émis des directives visant à assurer que les postes militaires, et surtout les postes d'instructeurs, soient dotés de titulaires compétents sur le plan linguistique. Le programme Francotrain, destiné à assurer en français la formation spécialisée à l'intention des militaires, sera élargi de façon à tripler le nombre de cours visés. Ces mesures s'imposaient depuis fort longtemps, et nous comptons suivre de près leur mise en place.

En avril dernier, les médias ont affirmé que le Ministère faisait preuve de discrimination envers les francophones au sein d'un programme de formation linguistique destiné au personnel militaire. Ces affirmations se fondaient sur une directive de l'École des langues des Forces canadiennes à Saint-Jean (Québec) qui énonçait des critères d'évaluation différents pour les francophones et les anglophones. D'autre part, les exigences linguistiques de certaines classifications et de certains échelons, de même que la durée de la formation linguistique de base donnée aux recrues au tout début de leur engagement, n'étaient pas les mêmes pour les deux groupes. Le Ministère a réagi en demandant au Commissaire d'étudier le programme pour déterminer s'il y avait discrimination et, le cas échéant, de formuler des recommandations. Le Commissariat a effectué cette enquête et présenté son rapport au Ministère.

L'examen du processus de désignation linguistique des postes civils nous a montré que celui-ci n'inspirait guère confiance en raison de l'application de critères inappropriés, de la faible compréhension manifestée par les gestionnaires de la politique et des obligations linguistiques du Ministère et de l'effet cumulatif, au cours des années, de mécanismes de contrôle insuffisants. Conscient de la situation, le directeur général, Génie maritime et Maintenance, s'était déjà employé à redresser les exigences linguistiques des postes relevant de sa compétence. Le

Ministère, qui avait décidé de revoir la désignation de tous les postes militaires et d'en améliorer à la fois les mécanismes de contrôle et les critères, lui a emboîté le pas en entreprenant de revoir parallèlement la désignation des postes civils. Dans le cadre de son évaluation de la demande de services dans la langue de la minorité, le Ministère devra voir à ce que ces services soient activement offerts dans les deux langues officielles.

Notre vérification des unités de la Défense nationale dans la région de la Capitale nationale a révélé que les conceptions erronées des droits et des obligations linguistiques y sont très répandues. Nous avons visité le Centre de recrutement d'Ottawa et le détachement de Hull, la 3e Unité des mouvements aériens de la base des Forces canadiennes à Ottawa, le secteur Police et sécurité de la base, et le quartier général du 76e Groupe des communications chargé de la gestion des services téléphoniques du Ministère dans la région de la Capitale nationale et au quartier général de la Défense. Nous avons également visité le Centre médical de la Défense nationale.

À l'exception du quartier général du 76e Groupe des communications, toutes ces unités avaient fait l'objet de recommandations lors d'une vérification effectuée en 1977. Dix ans plus tard, certaines lacunes n'avaient toujours pas été comblées.

Au Centre de recrutement et à l'aéroport militaire, le service au public se fait dans les deux langues. Cependant, l'anglais tend à prédominer dans les secteurs de la sécurité et des communications. D'autre part, l'offre active de services bilingues est l'exception plutôt que la règle, notamment dans le secteur de la sécurité. Mis à part le détachement de Hull, l'anglais s'impose comme langue de travail dans toutes les unités. Encadrement, réunions, notes de service, communications internes, autant d'activités qui se déroulent en anglais, même au Centre de recrutement d'Ottawa où 65 p. 100 des employés sont francophones.

En général, le personnel n'est pas au courant de la désignation linguistique de leur unité ou de leur propre poste. Dans de nombreux cas, on ignore la nature et la portée de ses obligations linguistiques. C'est ce qui est ressorti, notamment, d'un sondage effectué à partir de l'annuaire téléphonique du Ministère. Les numéros marqués d'un point noir étaient censés offrir l'accès à des services bilingues. Or, des 223 personnes qui ont répondu lorsque nous avons composé ces numéros, 50 p. 100 n'étaient pas au courant de ce fait. L'accueil s'est fait dans les deux langues dans seulement 23 p. 100 des cas, et dans 38 p. 100 des cas le demandeur n'a pas réussi à se faire servir dans la langue de son choix. L'idée du point noir n'est pas sans mérite. Cependant, pour en assurer l'efficacité le Ministère devra mettre en place un mécanisme de contrôle approprié et sensibiliser le personnel à son existence.

Comme nous le soulignions dans notre rapport spécial, la plupart des postes bilingues sont occupés par des personnes qui ne satisfont pas aux exigences linguistiques. Ainsi, 43,4 p. 100 des titulaires de postes militaires exigeant un contact avec le public n'ont pas la compétence voulue. La rotation du personnel

militaire et la faible proportion d'anglophones bilingues font obstacle à la réalisation des objectifs du Ministère. Les modifications apportées en 1986 au programme de formation linguistique visaient à accroître la capacité bilingue des militaires anglophones. Malheureusement, un taux d'échec élevé, attribuable en partie à l'absence de motivation, persiste au sein du programme. Le Ministère n'a pas réussi à faire comprendre aux recrues anglophones qu'il est nécessaire pour certains d'entre eux de maîtriser la langue seconde.

La rareté des cours donnés en français dans le domaine des métiers et des classifications explique que les francophones, formés en anglais, continuent de travailler dans cette langue. La relance du programme Francotrain, annoncée en 1986, n'a guère eu d'effets à ce jour. Cependant, en réaction aux plaintes, le Ministère a entrepris d'offrir dans les deux langues officielles des cours d'informatique et de génie militaire.

Dans certains cours donnés par des instructeurs bilingues et disposant d'un minimum de matériel de formation dans les deux langues, le Ministère offre des explications supplémentaires aux francophones dans leur langue. Non seulement cette politique fait-elle obstacle à la bilinguisation des cours, mais elle ne porte même pas les fruits attendus. Même si l'enseignant offre son aide après le cours, et même s'il existe de la documentation en français, cela ne change rien au fait que les francophones sont obligés de suivre des cours en anglais et qu'on leur impose ainsi un fardeau de plus qu'à leurs condisciples de langue anglaise. Si le cours était donné en français et que les anglophones bénéficiaient d'explications supplémentaires dans leur langue, quel serait le taux de réussite de ces derniers ? C'est la question fort pertinente que nous posait un correspondant.

La traduction des documents techniques n'a guère avancé : quelque 95 p. 100 des documents n'existent toujours qu'en anglais. Il est impossible de surestimer les conséquences de ce fait pour l'emploi du français au travail, chez les francophones tant militaires que civils. Nous nous réjouissons d'apprendre que le Conseil du Trésor a décidé de se montrer plus souple dans l'attribution de ressources permettant de réduire l'arriéré des travaux de traduction. Le Ministère aura également besoin de crédits supplémentaires pour mener à bien son projet. La carence de documents techniques en français constitue indéniablement l'un des principaux obstacles à la mise en place de cours spécialisés à l'intention des militaires francophones. D'autre part, on ne saurait nier le fait que le rythme accéléré des progrès technologiques rend inutile la traduction de bon nombre de documents existants. Il s'agit en fait de traduire les documents techniques que consultent régulièrement le personnel francophone, ainsi que tous ceux qui intéressent la sécurité ou la formation. Ces considérations sont particulièrement importantes au moment où le Ministère s'apprête à conclure d'importants marchés avec ses fournisseurs.

Parmi les 86 000 militaires, les francophones constituent toujours 27 p. 100 des effectifs. Notons qu'en 1987 la participation francophone chez les officiers s'est

améliorée, passant de 21,9 à 23,3 p. 100. Au sein du Commandement maritime, cette participation s'établit à 18,8 p. 100 par rapport à 17,8 p. 100 en 1986. Par contre, malgré une légère amélioration, les anglophones sont toujours sous-représentés (65,7 p. 100) dans le Commandement de la Force mobile.

Le Ministère attribue à la mobilité restreinte qui existe au sein de la Fonction publique la faible représentation des francophones parmi ses 32 000 employés civils. Cela n'explique pourtant pas qu'elle soit restée inchangée à 20,1 p. 100 depuis 1983. Le pourcentage de cadres civils supérieurs d'expression française est passé de 13 à 13,6 p. 100, et demeure nettement insuffisant. Nous avons été heureux d'apprendre qu'on a enjoint aux comités de sélection pour les postes civils d'obtenir, dans la mesure du possible, des candidatures francophones.

En 1987, le Ministère a fait l'objet de 88 plaintes. Le nombre de dossiers mettant en cause la désignation linguistique des postes civils a connu une chute spectaculaire depuis 1986. Par contre, les griefs se sont multipliés dans d'autres secteurs. Quelque 50 p. 100 des plaintes portaient sur l'incapacité du Ministère de communiquer avec le public ou le personnel dans sa langue d'élection. Citons, à titre d'exemples, l'absence de médecins capables de s'exprimer en français à la base des Forces canadiennes à Ottawa ; le commentaire unilingue anglais accompagnant un spectacle aérien lors de la Fête du Canada à Ottawa ; et la piètre qualité, ou parfois l'absence, de services téléphoniques en français dans les bases Esquimalt en Colombie-Britannique et Shearwater en Nouvelle-Écosse.

Nous avons également reçu de nombreuses plaintes relatives à l'usage du français au travail. Comme d'habitude, on nous a signalé plusieurs exemples de communications internes en anglais seulement. En 1987, trois francophones ont mis en cause l'incapacité du Ministère de leur offrir une formation militaire dans leur langue, incapacité qui touche des centaines, sinon des milliers de soldats. Le Ministère a collaboré à l'élaboration d'un mécanisme de traitement des plaintes plus efficace. Cependant, les résultats internes se font attendre, et c'est à la structure et aux procédures des Forces canadiennes qu'il faut attribuer — en partie du moins — cette situation.

Emploi et Immigration*

La Commission de l'emploi et de l'immigration du Canada figure encore une fois au palmarès pour ce qui est du service au public dans les deux langues officielles. En effet, bien que ce service ne soit pas toujours offert de façon active et que la capacité bilingue soit faible à certains endroits, on a cependant veillé à ce que les 830 bureaux à l'échelle du pays disposent d'employés qui maîtrisent les deux langues. La Commission a marqué des points dans la promotion du français et de l'anglais en milieu de travail. Toutefois, la proportion d'anglophones au sein de l'effectif du Ministère demeure faible, en raison surtout de leur absence quasi totale au Québec et de l'insuffisance de leur représentation dans la catégorie

Soutien administratif. Enfin, le programme des langues officielles est bien administré : les gestionnaires ont des objectifs précis dont on contrôle régulièrement la réalisation.

Malgré la perte d'environ 1 000 employés en 1986-1987, la Commission a réussi à maintenir à 23,7 p. 100 (5 749 sur 24 237) la proportion de postes bilingues, ainsi que le pourcentage de titulaires satisfaisant aux exigences, qui reste acceptable à 87 p. 100. La capacité bilingue est toujours insuffisante dans le sud-est de l'Ontario (216 postes bilingues sur 5 844, ou 3,7 p. 100) et à l'Île-du-Prince-Édouard (8 sur 204, ou 3,9 p. 100). En Colombie-Britannique, en Alberta et en Saskatchewan, à peine 108 des 4 752 postes demandent une compétence dans les deux langues, et 83 de ces postes ont des titulaires bilingues.

Notre vérification des services d'orientation spécialisés pour les femmes, les jeunes et les étudiants dans l'Ouest a montré que l'offre et la prestation de services en français varient considérablement d'un bureau à l'autre. Nous estimons, pour notre part, que les postes de conseillers à l'emploi, qui ne demandent actuellement qu'une connaissance intermédiaire de la langue seconde, devraient exiger des compétences supérieures.

La Commission est généralement en mesure de répondre aux besoins de sa clientèle de langue minoritaire, maintenant à cet effet des rapports étroits avec les associations des minorités de langue officielle dans toutes les provinces. D'après un sondage sur la satisfaction de la clientèle, 90 p. 100 des employeurs reçoivent les services de la Commission dans la langue de leur choix.

La Commission a cependant commis un impair linguistique assez retentissant en 1987, lors d'une conférence de presse convoquée à Halifax au sujet d'un bateau transportant des réfugiés qui désiraient entrer au pays : en effet, l'unique agent de presse bilingue qui se trouvait sur les lieux ne s'est présenté au micro qu'après que des journalistes francophones aient insisté pour se faire expliquer la situation en français.

En matière de langue de travail, la Commission a pris dernièrement des initiatives prometteuses : les objectifs en ce domaine font maintenant partie intégrante des ententes que doivent signer tous les gestionnaires, et 10 des 19 cadres supérieurs embauchés cette année sont bilingues. La Direction générale des langues officielles a proposé à tous les gestionnaires de l'administration centrale et des régions bilingues une série de mesures susceptibles de favoriser l'usage des deux langues au travail, et notamment lors des réunions.

Les employés de la Commission dans la région de la Capitale nationale, au Nouveau-Brunswick et dans le nord-est de l'Ontario peuvent généralement travailler dans la langue officielle de leur choix. Au Québec, c'est le français qui prédomine. La proportion de surveillants bilingues a augmenté de 85 p. 100 à 90,7 p. 100 cette année; notons cependant que seulement 7 p. 100 de ces postes exigent une connaissance supérieure de la langue seconde. Les services centraux

en français se sont améliorés depuis notre vérification de 1985, et la plupart des instruments de travail sont maintenant offerts dans les deux langues. Il faut cependant signaler une exception d'importance cette année : dans un bureau du Québec où la langue de travail est le français, on a fait l'achat d'un logiciel en anglais, et lorsque le même programme est apparu sur le marché en français, on a laissé aux gestionnaires locaux la décision de l'acheter. Normalement, c'est dans les deux langues qu'on acquiert automatiquement de tels outils.

Les anglophones constituent 65 p. 100 du personnel de la Commission. La participation francophone aux échelons les plus élevés — 27 p. 100 — correspond à la présence de ce groupe au sein de la population. La faiblesse globale de la participation anglophone s'explique par le fait que 37 p. 100 des 12 076 employés de la catégorie Soutien administratif sont francophones, comme le sont 5 879 des 6 033 employés du Québec (97,4 p. 100). La Commission a accéléré récemment l'embauche des anglophones au Québec, mais elle n'arrive encore qu'à compenser les départs, et cette situation demeure inchangée depuis cinq ans. Signalons toutefois que la Commission joue un rôle actif au sein d'un comité interministériel qui se consacre au recrutement des anglophones. Dans les autres régions et catégories d'emploi, la participation des deux groupes linguistiques est généralement équilibrée. Ainsi, dans les provinces de l'Ouest, la participation francophone est acceptable à 3,9 p. 100.

La gestion du programme des langues officielles du Ministère continue d'être excellente. Les gestionnaires doivent rendre compte de la réalisation d'objectifs définis avec précision au moyen d'ententes écrites, lesquelles ont d'ailleurs servi de modèle aux accords entre le Conseil du Trésor et les autres ministères en matière de langues officielles. En plus des analyses statistiques et des contrôles intermittents effectués par la Direction générale des langues officielles, la Commission dispose de rapports de vérification interne qui tiennent compte du rendement linguistique. D'autre part, elle a promis d'agir avec vigueur pour régler les problèmes dont nous avons fait état en 1986 quant au service en français en Nouvelle-Écosse. Cependant, cette excellente gestion pourrait être compromise si la Direction générale, qui fournit une expertise technique, continue de perdre des effectifs. Au cours des deux dernières années, en effet, 25 p. 100 des employés du programme des langues officielles ont été mutés à d'autres postes.

Nous avons reçu 137 plaintes contre la Commission en 1987, comparativement à 125 en 1986. La plupart d'entre elles touchaient le service au public dans les centres d'emploi et les bureaux de création d'emploi. Un quart venaient de l'Ontario, et portaient sur la mauvaise qualité du service en français. Nous comptons sur l'engagement renouvelé de la direction régionale pour résoudre ces problèmes persistants. Les neuf autres provinces se partageaient à égalité le reste des plaintes. On demande aux gestionnaires de régler, avec l'aide du personnel des langues officielles, les plaintes touchant à leur domaine de compétence : c'est un système qui s'avère efficace.

Énergie, Mines et Ressources

La grande réalisation du ministère de l'Énergie, des Mines et des Ressources en 1987 aura été d'augmenter sensiblement la participation des francophones au sein de la gestion. Sa performance en matière de service au public s'est maintenue, mais il devra accorder une attention particulière à la question de la langue de travail, où de sérieux problèmes persistent. Il continue par ailleurs de gérer efficacement son programme des langues officielles.

Donnant suite à son engagement d'offrir des services dans leur langue à toutes les minorités de langue officielle, le Ministère a mis en œuvre cette année une nouvelle politique qui décrit clairement les procédures à suivre pour assurer des services d'accueil bilingues. À cet effet, il a désigné des postes bilingues dans toutes les provinces et tous les territoires, bien que le gros de ses activités soient concentrées dans la région de la Capitale nationale. Par contre, des 964 postes désignés bilingues aux fins du service au public, seulement 78,5 p. 100 sont occupés par des titulaires linguistiquement qualifiés, une proportion trop faible. Par ailleurs, Énergie, Mines et Ressources aurait intérêt à appliquer avec plus de rigueur sa nouvelle politique visant à assurer la parution simultanée, dans les deux langues officielles, des publications scientifiques et techniques lorsque la demande le justifie.

Dans notre dernier rapport annuel, nous avions exhorté le Ministère à redoubler d'efforts dans les domaines de la langue de travail et de la participation. L'arrivée d'un nouveau ministre francophone a certes contribué à stimuler, parmi tous les employés et particulièrement à la haute direction, l'usage du français au travail. Entre autres initiatives, on a rehaussé cette année les exigences linguistiques de certains postes de gestion. Cependant, 28,1 p. 100 des surveillants occupant des postes bilingues ne satisfont pas aux exigences linguistiques de leur poste. Bien que cela représente une baisse de 2 p. 100 par rapport à l'an dernier, on comprend que bien des employés francophones éprouvent encore des problèmes à travailler dans leur langue.

Ainsi, le français n'est guère utilisé pour la rédaction de documents, comme en témoigne le fait que le volume de traduction de l'anglais vers le français est près de 20 fois supérieur à celui du français vers l'anglais. Les communications avec le ministre se font, selon son désir, en français, et cette langue est de plus en plus utilisée au cours des réunions de la haute gestion. Lors des grandes séances d'information, des services d'interprétation simultanée sont mis à la disposition des participants. En ce qui concerne les instruments de travail, mentionnons que la plupart des logiciels sont en anglais, quoi qu'on puisse toujours entrer ou extraire de l'information en français. Si le Ministère se montre prêt à faire des efforts pour améliorer la situation sur le plan de la langue de travail, il est certain qu'un plus grand nombre d'anglophones bilingues contribuerait à assurer une meilleure place au français.

Le Ministère se penche également sur la question de la participation des deux groupes linguistiques, qui présente plusieurs faiblesses. Le Comité consultatif qu'il a mis sur pied l'année dernière a formulé plusieurs recommandations à cet égard. Si la participation globale des francophones se rapproche sensiblement de la moyenne nationale avec 24,6 p. 100, il y a eu cette année une augmentation remarquable de leur participation dans la catégorie Gestion, qui est passée de 10,9 à 16,1 p. 100. Notons également que le Ministère a recruté 28 cadres en 1987, dont 10 francophones et 18 anglophones, et promu un francophone et huit anglophones. Enfin, nous encourageons les gestionnaires à poursuivre leurs efforts pour appliquer les mesures recommandées par le Comité consultatif, et notamment le recrutement de scientifiques francophones en conformité avec le principe du mérite. D'autres déséquilibres devront aussi être corrigés, à savoir l'absence totale de francophones dans les provinces de l'Ouest et dans celles de l'Atlantique (à l'exception du Nouveau-Brunswick), ainsi que l'absence d'anglophones à Montréal et leur faible représentation dans les autres régions du Québec.

Les objectifs en matière de langues officielles ont été intégrés aux plans opérationnels à la fin de l'année dernière, et le Ministère s'apprête à les entériner dans un protocole d'entente avec le Conseil du Trésor. Il restait à mettre au point et à appliquer des mesures de contrôle. Or la division des langues officielles comprend une section d'évaluation dont le mandat est très clair : pour chaque exercice financier, une série de vérifications linguistiques doivent être effectuées dans les différentes directions, et des rapports détaillés soumis aux gestionnaires. La qualité des rapports que nous avons pu consulter ne fait pas de doute. Enfin, des conseillers en bilinguisme sont détachés auprès de chaque secteur d'activités, ce qui permet de mieux informer les intéressés sur le programme et d'exercer des contrôles plus efficaces.

L'excellente collaboration que nous offre le personnel de la division des langues officielles du Ministère mérite encore une fois d'être mentionnée, de même que la rapidité et l'efficacité avec laquelle ses membres voient à régler les plaintes que nous portons à leur attention. Celles-ci sont au nombre de 12 cette année, quatre de plus qu'en 1986. Plus de la moitié traitaient de l'inégalité de statut accordé au français au travail. Les mesures prises pour corriger ces plaintes ont été satisfaisantes.

Environnement

Le ministère de l'Environnement a fait quelques progrès en 1987, principalement grâce à une meilleure gestion de son programme des langues officielles, à une plus grande utilisation de la presse minoritaire et à l'adoption d'une nouvelle politique de signalisation routière au Service des parcs. Toutefois, des difficultés majeures persistent en ce qui a trait à la langue de travail et à la participation des deux groupes linguistiques.

Le service est généralement offert au public dans les deux langues officielles, et il s'améliorera sans doute lorsque le Ministère ira de l'avant avec son projet

de recourir à la dotation impérative de tous les postes bilingues où les employés sont en contact avec le public.

Le service en personne dans certains parcs nationaux, surtout dans la région de l'Atlantique, est maintenant très convenable. Ailleurs — à Banff par exemple —, il n'est pas toujours disponible dans les deux langues, en dépit des efforts déployés pour recruter des employés bilingues à temps partiel. Qui plus est, la plupart des parcs ouverts toute l'année n'ont aucune ressource bilingue pendant les mois d'hiver.

Le Service des parcs a finalement adopté une politique selon laquelle les noms géographiques doivent apparaître dans les deux langues officielles sur tous les panneaux de signalisation, réglant ainsi un problème qui existait depuis plusieurs années. Le Service de l'environnement atmosphérique dispense maintenant ses prévisions météorologiques en français et en anglais dans les grands centres et le service est en général satisfaisant. Dans certaines régions à « demande importante », il n'est cependant pas en mesure d'offrir un service dans les deux langues faute de météorologistes et de techniciens bilingues.

À la suite de plusieurs plaintes déposées au début de 1987, le Ministère fait maintenant paraître sa publicité dans les médias de langue minoritaire de façon systématique, portant ainsi ses avis et ses annonces à l'attention de tous les Canadiens.

Le français est très peu utilisé comme langue de travail à l'extérieur du Québec et de quelques unités administratives de la région de la Capitale nationale. Cela tient, d'une part, au fait que la compétence linguistique des surveillants laisse à désirer décourageant ainsi l'utilisation de la langue seconde (la plupart de ces postes ne requièrent qu'une compétence de niveau intermédiaire) et, d'autre part, à l'attitude des francophones qui ont tendance à rédiger les documents scientifiques et techniques en anglais.

Le Ministère a perdu du terrain sur le plan de la pleine participation. L'an dernier, les francophones représentaient 20,1 p. 100 des 10 027 employés, alors que cette année, la proportion est de 19,3 p. 100 des 10 156 employés. Les deux seules catégories d'emploi où la représentation francophone soit acceptable sont l'Administration et le service extérieur (26,9 p. 100) et le Soutien administratif (28,1 p. 100). La Gestion en comptait un maigre 15,0 p. 100, et dans la catégorie Exploitation, la plus importante de toutes avec ses 2 416 employés, ce taux baissait à 12,6 p. 100. Les anglophones sont sous-représentés au Québec (seulement 7,3 p. 100 des 1 081 employés).

Dans les deux catégories professionnelles clés, Scientifiques et spécialistes et Technique, qui englobent 44 p. 100 du personnel, les taux de participation des francophones étaient de seulement 18,4 p. 100 et de 16,6 p. 100 respectivement. Cela suffit à expliquer la sous-utilisation du français comme langue de travail scientifique au sein du Ministère. La direction songe à diverses mesures afin d'assurer une représentation plus équilibrée des deux groupes linguistiques.

La promotion et la gestion des langues officielles ont été largement intégrées aux autres fonctions du Ministère, et les cadres supérieurs sont tenus responsables des progrès à cet égard dans leurs secteurs respectifs. Bien que les gestionnaires connaissent bien les grandes lignes du programme, ils ont besoin de renseignements plus précis concernant les priorités et les objectifs, et d'un appui ferme pour être en mesure d'opérer les changements qui s'imposent.

Des 74 plaintes reçues cette année (26 de plus qu'en 1986), 72 avaient trait au service au public. Le service en personne et l'affichage comptaient parmi les plus grands problèmes, le Service des parcs étant la principale cible. La collaboration du Ministère a été satisfaisante dans le règlement des plaintes, mais dans l'Ouest canadien, les choses ont été plus lentes et les solutions durables plus rares.

Expansion industrielle régionale*

Le programme linguistique du ministère de l'Expansion industrielle régionale repose sur des assises solides. La capacité bilingue y est élevée, tant par le nombre d'employés bilingues que par leur compétence linguistique. Les procédures établies en ce qui a trait aux contacts avec le public continuent d'être respectées, les niveaux de participation se maintiennent, et on s'efforce d'éliminer les obstacles à l'usage du français au travail. Malgré l'importante restructuration en cours, le Ministère poursuit assidûment ses objectifs linguistiques et assure un contrôle régulier de son programme, auquel il a insufflé une vigueur nouvelle. Mentionnons également qu'il a mis en œuvre les recommandations que nous avions formulées au début de l'année dans notre rapport de vérification linguistique.

Le Ministère assure à sa clientèle et au grand public un service bilingue, notamment en ce qui a trait à l'affichage, aux publications ainsi qu'aux annonces qui sont publiées dans la presse de langue minoritaire aussi bien que majoritaire. Lors des séminaires, conférences, foires et expositions auxquels il participe, il est habituellement représenté par des employés des deux groupes linguistiques et, pour les exposés, il a recours à l'interprétation simultanée. Cette année encore, le Ministère a effectué un sondage sur l'accueil téléphonique et en personne : il a pu constater que le personnel chargé de l'accueil connaissait ses obligations linguistiques à cet égard, mais qu'il n'offrait pas toujours spontanément ses services dans les deux langues.

Le Ministère s'est doté cette année d'une stratégie visant à promouvoir le libre choix de la langue de travail. Les résultats ne se sont pas fait attendre : les réunions du Comité de régie, ainsi que les assemblées générales des employés, se font désormais dans les deux langues, et le nombre de documents rédigés en français a augmenté. Les services centraux et du personnel disposent quant à eux d'une bonne capacité bilingue, tandis que le groupe de la vérification interne accuse certaines faiblesses à cet égard. Mentionnons enfin que les outils informatiques ne sont pas toujours disponibles dans les deux langues.

Malgré la réorganisation et les réductions de personnel qu'a subies le Ministère, les taux de participation sont restés stables, soit 31,8 p. 100 de francophones et

68,2 p. 100 d'anglophones. Cette sous-représentation des anglophones se manifeste particulièrement dans les catégories Technique, Soutien administratif et Exploitation, où ils comptent respectivement pour 65,0, 60,2 et 33,3 p. 100 du personnel. Au Québec, la situation est pire encore : les anglophones ne constituent que 5,9 p. 100 de l'effectif, ils ne sont que trois parmi les 113 employés de la catégorie du Soutien administratif (2,7 p. 100) et on n'en trouve aucun parmi les 12 membres de la catégorie Scientifiques et spécialistes. Sauf au Nouveau-Brunswick et dans la région de la Capitale nationale, où la participation est mieux équilibrée, le Ministère exigera dorénavant que l'on présente des candidats du groupe minoritaire pour les concours visant à doter des postes de direction, de gestion supérieure et d'agents de commerce.

Le Ministère a poursuivi le processus d'intégration de ses objectifs linguistiques, par ailleurs exigeants, à ses plans opérationnels. Un système de contrôle rigoureux lui permet d'en suivre mensuellement les progrès. Par suite de sa comparution devant le Comité des langues officielles en avril dernier, il a préparé un plan de travail qui énonce les engagements ministériels, les mesures correctives à apporter ainsi qu'un échéancier de réalisation, et qui établit clairement les responsabilités des gestionnaires en cette matière.

Par le nombre élevé de titulaires de postes bilingues qui répondent aux exigences et de ceux qui possèdent une connaissance supérieure de leur langue seconde, le Ministère peut être considéré un chef de file. Son effectif est de 2 712 employés, dont 1 471 occupent des postes bilingues (54,2 p. 100). Seulement 21,7 p. 100 de ces postes exigent une connaissance supérieure de la langue seconde, mais 42,0 p. 100 des titulaires (618 employés) manifestent cette compétence. À l'autre extrême, seulement 37 postes bilingues exigent le niveau inférieur de compétence linguistique (2,5 p. 100), et le Ministère a cessé de créer de tels postes. Ce sont là des progrès importants.

Par contre, il n'y a que quatre employés affectés à la gestion du programme des langues officielles, ce qui nous semble nettement insuffisant pour en assurer une promotion active, particulièrement en cette période de restructuration.

Le ministère de l'Expansion industrielle régionale a fait l'objet de quatre plaintes cette année, contre sept l'an dernier. L'une d'elles est digne de mention : elle concernait la foire de matériel de défense ARMX, à Ottawa, où les représentants du Ministère n'étaient pas toujours en mesure d'échanger en français. Le Ministère s'est engagé à prendre des mesures pour éviter une telle situation. Il a effectivement respecté cet engagement lors d'une importante foire à caractère touristique qui s'est tenue à Ottawa plus tard dans l'année.

Gendarmerie royale du Canada

Du point de vue des langues officielles, la Gendarmerie royale du Canada (GRC) a connu une année mouvementée. À la fin de 1986, en effet, elle se proposait de modifier certaines de ses lignes de conduite, et notamment de réduire les

exigences touchant la représentation des francophones chez les membres réguliers et le niveau de connaissances linguistiques requis pour les postes bilingues. Elle a dû s'en expliquer à deux reprises devant le Comité mixte des langues officielles, qui a manifesté, tout comme le Commissaire aux langues officielles, une ferme opposition aux modifications proposées. La GRC a donc remis l'ouvrage sur le métier et elle a accepté durant l'été de ne pas réduire ses objectifs. De plus, les mesures adoptées à la fin de l'année nous laissent croire que le programme est engagé sur une meilleure voie. L'effort devra cependant être soutenu, car il reste beaucoup à faire pour assurer au français une place convenable au sein de la Gendarmerie.

Ce sont les objectifs du programme qui ont le plus retenu l'attention au cours de l'année. À la suite de nos commentaires, qui ont été vigoureusement appuyés par le Comité mixte, la GRC acceptait de laisser à 20,8 p. 100 son objectif de participation francophone chez les membres réguliers plutôt que de l'abaisser à 12 ou 15 p. 100. Nous estimons qu'elle sera ainsi mieux en mesure de répondre à ses besoins en matière de bilinguisme. La GRC, en effet, est un corps national qui dessert notamment les minorités et les voyageurs, et dont les membres sont souvent appelés à changer de région ou de fonction (fédérale, provinciale ou municipale). C'est pourquoi elle ne peut se contenter d'un strict minimum d'employés bilingues et francophones. Du reste, une certaine présence francophone est nécessaire pour assurer une place convenable au français comme langue de travail.

La GRC a aussi décidé de modifier ses lignes directrices pour faciliter la dotation de postes exigeant un niveau supérieur de connaissances linguistiques. D'autre part, elle se propose de mettre sur pied au cours des prochains mois un programme de formation linguistique pour toutes ses recrues, en limitant toutefois le temps alloué à celles qui n'auraient pas démontré d'aptitudes pour la langue seconde. Ce programme nous semble fort opportun : il permettra d'accroître les effectifs bilingues de la GRC sans empêcher les unilingues d'y accéder.

La GRC est généralement en mesure de servir le public dans les deux langues dans les régions bilingues du Nouveau-Brunswick, du Québec et du nord-est de l'Ontario. À Caraquet, au Nouveau-Brunswick — où la population est francophone à plus de 90 p. 100 — plusieurs associations francophones se sont plaintes du fait que le poste de chef du détachement n'exigeait que le niveau intermédiaire de bilinguisme ; par la suite, les autorités ont entrepris de revoir les exigences de tous les postes de la province. Il semble qu'on choisira le niveau supérieur pour les chefs de détachement dans les communautés à majorité francophone.

Dans les régions anglophones, la GRC a déterminé qu'elle avait besoin de 432 employés bilingues sur un effectif total de 11 500 (3,8 p. 100) pour desservir les communautés de langue minoritaire. Cela nous semble trop peu, compte tenu du roulement élevé du personnel et des contacts quotidiens des membres avec le public. De plus, la GRC ne dispose pas de la capacité bilingue requise

dans certaines unités : c'est le cas en Saskatchewan (8 titulaires non qualifiés sur 42 requis) et à l'Île-du-Prince-Édouard (5 sur 12). Il est vrai que la GRC dispose, notamment dans l'Ouest, d'employés bilingues en sus de ceux requis, et que ces derniers pourraient contribuer à assurer un service bilingue, mais ils ne sont malheureusement pas toujours affectés aux endroits où le besoin s'en fait sentir sur le plan linguistique. Bien sûr, le déploiement de plus de 13 000 membres réguliers à travers le pays est une opération délicate. Nous croyons pourtant que la GRC pourrait faire mieux, comme en témoigne la répartition judicieuse, pour les Jeux olympiques de Calgary, d'une centaine de membres bilingues aux points de contact avec le public.

Les membres de la GRC doivent en principe communiquer avec le public dans la langue de ce dernier et recourir, en cas de besoin, à un collègue bilingue. Cette façon de procéder n'est pas toujours respectée. Certaines plaintes ont fait ressortir que les agents unilingues ne demandent pas toujours l'aide d'un agent bilingue. Dans quelques cas, on a même fait sentir aux clients qu'il serait préférable pour eux d'utiliser l'anglais afin de ne pas créer de problèmes. Ce comportement est d'autant plus inacceptable que la plupart des échanges avec la GRC sont déjà intimidants en soi.

Afin de mieux sensibiliser les membres à la politique linguistique de la Gendarmerie, la Direction des langues officielles a tenu dans les divisions 16 séances d'information. En outre, le nouveau Commissaire de la GRC, qui est bilingue, a exprimé dans le journal interne sa ferme intention de mieux assurer au sein de l'organisme le respect de la *Loi sur les langues officielles*. Nous nous réjouissons de cet engagement.

Il reste encore de nombreuses difficultés à surmonter en matière de langue de travail. Le français n'arrive pas à se tailler une place appropriée à l'extérieur du Québec, et notamment dans certains détachements en milieu francophone au Nouveau-Brunswick. La révision des exigences linguistiques qui est en cours dans cette province devrait aider à y étendre l'usage du français.

À l'administration centrale, le français est peu utilisé dans presque tous les secteurs d'activité, même si les francophones comptent pour 30 p. 100 de l'ensemble du personnel. Le principal obstacle à l'usage du français y est toujours la faible capacité bilingue d'un grand nombre de titulaires de postes bilingues. En effet, 58 p. 100 des titulaires des 1 368 postes désignés bilingues ne satisfont pas aux exigences, ce pourcentage étant à peu près le même chez les surveillants. Ces proportions n'ont presque pas changé au cours des trois dernières années. Les membres du Comité mixte ont d'ailleurs accordé beaucoup d'attention à la faible présence du français au sein de la GRC. Celle-ci doit donner un sérieux coup de barre pour rendre l'administration centrale capable de fonctionner dans les deux langues, en y rehaussant les exigences linguistiques des postes — seulement 13 p. 100 des postes bilingues exigent le niveau supérieur — et en offrant davantage de cours de langue aux titulaires non qualifiés. Le nouveau Commissaire s'est engagé à agir dans ce sens tout en respectant les droits de tous les membres.

Nous surveillerons de près la mise en place en 1988 d'un nouveau système de désignation linguistique selon lequel, au lieu de préciser les exigences de chaque poste, on fixera plutôt dans chaque unité la proportion globale d'employés devant être bilingues. La GRC considère que cela lui permettra une plus grande souplesse dans le déploiement du personnel. Pourtant, il ne faudra pas que cette souplesse soit obtenue aux dépens du public, qui a le droit d'être servi dans sa langue, ou des employés, qui ont le droit d'être encadrés dans la leur.

La GRC a accepté de donner suite à une recommandation de notre vérification sur le Centre de formation à Regina, selon laquelle il conviendrait d'offrir systématiquement à toutes les recrues la possibilité de suivre leur formation de base dans leur propre langue. Il s'agit d'éviter les situations comme celle qui a surgi cette année lorsqu'une troupe de gendarmes spéciaux, composée de 28 recrues francophones sur 32, a reçu sa formation en anglais seulement.

En ce qui concerne les services centraux, notons que la Direction du personnel et de l'organisation et celle de la Vérification interne disposent d'une bonne capacité bilingue. Par contre, la Direction du contrôle financier et des autorisations n'a que trois employés bilingues sur 16, et celle des Services de santé n'en a aucun. Ces situations doivent être corrigées.

Au chapitre de la participation, le maintien à 20,8 p. 100 de l'objectif pour la participation des membres réguliers francophones constitue la grande nouvelle de l'année. On obtiendra ainsi un meilleur équilibre entre le français et l'anglais comme langues de service et de travail, et la GRC, organisme national d'une importance symbolique considérable, reflétera mieux la dualité linguistique de notre pays.

Il est d'ailleurs encourageant de noter qu'on accroît progressivement la représentation des francophones chez les membres réguliers tout en évitant les écarts excessifs d'il y a quelques années. La GRC s'est d'ailleurs engagée récemment à recruter une proportion importante de ses membres dans l'Ouest, où sont concentrés plus de 60 p. 100 de ses effectifs. La proportion de francophones est passée de 14,5 p. 100 l'an dernier à 15,3 p. 100 cette année (2 015 sur 13 158). Pour l'ensemble des membres (ce qui inclut les gendarmes spéciaux et les membres civils), elle a grimpé de 16 à 17,2 p. 100. Chez les membres réguliers, la répartition des deux groupes aux différents grades s'améliore aussi, quoique les francophones soient encore peu nombreux parmi les sergents (11,2 p. 100) et les sergents d'état-major (9,2 p. 100). La GRC doit suivre de près cette situation.

Les membres du groupe minoritaire sont bien représentés dans chaque région du pays. Compte tenu du fait qu'un rattrapage s'imposait, l'équilibre dans le recrutement pour les membres réguliers paraît également acceptable avec 29,5 p. 100 de francophones. Pour l'ensemble des membres, cette proportion s'élève à 33,9 p. 100.

En ce qui a trait à la gestion du programme dans son ensemble, rappelons que l'organisme a décidé de ne pas réduire ses objectifs. Il accorde également une

grande importance au contrôle de la mise en œuvre du programme : le Service central de la vérification interne inclut systématiquement les langues officielles dans ses vérifications et les lacunes sont portées à l'attention de la haute direction.

La GRC a fait l'objet de 38 plaintes cette année, comparativement à 30 en 1986 et 22 en 1985. Trente de ces plaintes concernaient le service au public ; l'accueil téléphonique était en cause dans la plupart des cas. Huit autres plaintes touchaient la langue de travail ; elles portaient toutes sur les difficultés des membres à travailler en français dans les régions bilingues. Nous avons aussi reçu 27 plaintes de membres de la GRC au sujet des exigences linguistiques de certains postes ; celles-ci seront examinées dans le cadre de notre vérification de l'administration centrale l'année prochaine. La GRC a réglé rapidement un certain nombre de plaintes mineures ; par contre, d'autres cas plus complexes ont traîné indûment.

Harbourfront*

La Société Harbourfront, qui relève du ministre des Travaux publics, a pour mandat de développer — afin d'en faire un lieu attrayant pour le public et les entreprises — un terrain fédéral de 37 hectares situé au bord de l'eau dans le centre-ville de Toronto. L'endroit reçoit chaque année plus de 3 millions de visiteurs, et la Société dessert également une population francophone locale de plus de 50 000 personnes.

C'est dans notre Rapport annuel de 1984 que nous avons évalué pour la première fois la Société. À cette occasion, nous avions conclu que sa situation linguistique n'était pas très reluisante. Nous sommes au regret de dire que la description vaut encore et que la réforme du régime linguistique est à peu près paralysée au sein de l'organisme.

En effet, nous avons effectué en 1987 un suivi de notre vérification de 1984 en vue d'évaluer les progrès et de déterminer dans quelle mesure l'on avait suivi nos conseils. Or sur 16 recommandations, on n'a mis en œuvre que celle portant sur l'équilibre de la programmation en français et en anglais, tout en s'inspirant, semble-t-il, de trois autres — touchant la désignation et la dotation des postes bilingues, le papier à lettres, les formulaires et les cartes d'affaires bilingues, et l'annonce des possibilités d'emploi à la minorité linguistique — pour apporter certaines modifications.

Nos autres recommandations ont reçu peu d'attention. La Société Harbourfront a refusé d'adopter une raison sociale bilingue et n'a pas encore formulé une politique ou un programme des langues officielles. La clientèle est encore accueillie en anglais à ses guichets, l'affichage est presque entièrement unilingue et aucun effort n'a été fait pour faire paraître des annonces dans la presse minoritaire. Enfin, elle n'a formulé aucun critère linguistique devant intervenir dans le choix des programmes culturels, éducatifs et récréatifs, et elle n'exerce aucun contrôle linguistique sur les programmes offerts sur son terrritoire par d'autres groupes.

Il ressort de cette liste de négligences que le service en français est, dans le meilleur des cas, insuffisant. Excepté dans l'aire d'accueil principale, l'accueil au téléphone ou en personne se fait en anglais, et la Société n'est pas inscrite en français dans l'annuaire téléphonique de Toronto. Même si, d'après ses propres chiffres, 13 p. 100 de ses visiteurs sont — pour utiliser les termes qu'elle emploie — de « souche culturelle » française, cela ne constitue pas à ses yeux une « demande importante ». On ne répond pas toujours en français aux lettres reçues dans cette langue, et la plupart des documents de la Société ne sont publiés qu'en anglais.

Si la Société Harbourfront a désigné un certain nombre de postes de service au public devant être comblés par des employés bilingues, elle n'a fait pratiquement aucun recrutement. Ne disposant pas de normes ou d'épreuves officielles pour déterminer la connaissance du français, la Société est incapable de dire avec certitude combien de ses employés sont bilingues. Une seule éclaircie dans ce tableau plutôt sombre : on a fait un effort l'été dernier pour embaucher de façon temporaire du personnel bilingue pour le kiosque des renseignements, et c'est ainsi qu'on a engagé 7 guides bilingues sur 28. Nous encourageons vivement la Société à poursuivre dans cette voie.

En ce qui a trait à la participation francophone et anglophone, le bilan de la Société laisse beaucoup à désirer. Seulement 7 de ses 147 employés (4,8 p. 100) sont francophones et aucun d'entre eux n'occupe un poste de direction.

La Société Harbourfront est l'un des très rares organismes fédéraux à qui les assises mêmes d'un programme des langues officielles fassent défaut. Aucune politique ne peut être efficace sans l'engagement de la direction, et c'est l'absence d'un tel engagement qui constitue, à notre avis, le principal obstacle systémique à l'instauration d'un régime linguistique équitable au sein de la Société.

Nous avons reçu en 1987 quatre plaintes portant sur divers aspects du service au public, et dont le règlement dépendra de la mise en œuvre rapide de nos recommandations.

Justice*

Le ministère de la Justice a continué à faire preuve de dynamisme en matière de langues officielles au cours de l'année. Il achève une révision complète des exigences linguistiques de ses postes, en accordant une attention particulière à la compétence linguistique des surveillants. Il a mis de l'avant plusieurs initiatives visant à accroître l'usage du français au travail et à corriger les déséquilibres dans la représentation des avocats francophones dans les régions à prédominance anglophone. Enfin, il a fait des progrès importants dans la rédaction des lois en français, quoiqu'il lui reste des difficultés à aplanir à ce sujet.

Grâce à l'affectation d'un avocat bilingue à Winnipeg et d'un autre à Halifax, le Ministère dispose maintenant d'une bonne capacité bilingue dans ses huit bureaux régionaux. Sept de ces bureaux comptent d'ailleurs au moins deux avocats

possédant un niveau supérieur de connaissance de la langue seconde. Dans l'ensemble du Ministère, 55,4 p. 100 des postes (798 sur 1 441) sont bilingues, et 93 p. 100 d'entre eux (742) sont occupés par des titulaires qualifiés. Le Ministère est ainsi en mesure d'offrir tous ses services au public dans les deux langues.

Par contre, la capacité bilingue des services de contentieux offerts à ses ministères clients laisse parfois à désirer. Ainsi, dans huit cas — dont Santé nationale et Bien-être social, Énergie, Mines et Ressources, Douanes et Accise et Consommation et Corporations —, cette capacité bilingue atteint à peine quelque 30 p. 100. Le Ministère a entrepris une enquête afin de déterminer les besoins linguistiques de ses ministères clients, et il entend élaborer au cours des prochains mois un plan d'action visant à satisfaire ces besoins. Il étudie également la question de la langue des opinions juridiques données par ses contentieux aux ministères clients. Signalons que le Ministère accorde une grande attention à la formation linguistique de son personnel : quelque 350 employés ont suivi des cours pendant l'année.

Sur le plan de la langue de travail, le Ministère continue de se préoccuper principalement, à juste titre, des documents de travail et de la capacité bilingue des surveillants. Près de 85 p. 100 des 186 surveillants sont bilingues (comparativement à 78 p. 100 en 1985), et 46 p. 100 d'entre eux possèdent une connaissance supérieure de leur langue seconde. Le français et l'anglais sont d'usage courant dans les secteurs de l'Administration et des Programmes législatifs ainsi que dans le tiers environ des contentieux. Ailleurs, l'usage du français est limité, et le Ministère a pris des mesures pour y remédier. Ainsi, en vertu d'une directive du sous-ministre, les membres du Comité exécutif doivent désormais veiller à ce que les documents préparés à leur intention ou à celle des sous-comités soient rédigés dans les deux langues. Les présidents de ces comités devront faire rapport périodiquement au sous-ministre à cet égard. Le Ministère a aussi fait l'inventaire de tous les documents de travail afin de s'assurer qu'ils soient distribués dans les deux langues officielles.

Signalons par ailleurs que depuis avril 1987, tous les candidats à des postes supérieurs dans la région de la Capitale nationale doivent être bilingues au moment de leur nomination. Dans l'ensemble du Ministère, 50 des 103 personnes nommées à des postes bilingues en 1987 maîtrisaient les deux langues.

Bien qu'on accorde une place de plus en plus grande au français dans la rédaction des lois — domaine important s'il en est —, il reste des obstacles à surmonter. Il est difficile en effet de rédiger un projet de loi en français lorsque toutes les discussions préalables avec le ministère concerné se sont déroulées en anglais. Le Ministère compte intervenir auprès des ministères à ce sujet.

Les francophones constituent 35 p. 100 des effectifs du Ministère, et les anglophones 65 p. 100. Ce pourcentage relativement élevé de francophones s'explique en grande partie par leur surreprésentation dans la catégorie Soutien

administratif, soit 43 p. 100 (206 employés sur 497). L'équilibre est meilleur dans le groupe des avocats où les francophones comptent pour 27 p. 100 des quelque 700 employés. Par contre, on note encore certains déséquilibres régionaux : les anglophones représentent à peine 5 p. 100 de la centaine d'employés au Québec, et on ne trouve que cinq francophones sur 367 employés en dehors du Québec et de la région de la Capitale nationale. Ces anomalies ont d'ailleurs été relevées par les membres du Comité mixte lors de la comparution du Ministère. Ce dernier a fait campagne récemment pour inciter les étudiants francophones des universités de Moncton et d'Ottawa (les deux seuls endroits où l'on enseigne le *common law* en français) à se joindre à ses rangs.

En ce qui touche la gestion de son programme, le Ministère a maintenant intégré des objectifs linguistiques à son processus de planification globale. Les cadres supérieurs sont tenus de faire rapport des progrès accomplis au Comité supérieur sur les langues officielles, qui exerce ainsi un contrôle de l'ensemble du programme.

Le Ministère a fait l'objet de neuf plaintes en 1987, comparativement à trois l'an dernier. Huit d'entre elles touchaient le service au public, dont trois l'absence de service en français à Winnipeg et à Saskatoon. La dernière mettait en cause la place faite au français dans la rédaction des lois. À l'exception de cette dernière, dont l'examen se poursuit, les plaintes ont été réglées de façon satisfaisante.

Marine Atlantique

La Société Marine Atlantique a traversé l'année 1987 sans vraiment progresser dans la poursuite de ses objectifs linguistiques. Dans le domaine de la langue de service, elle n'a marqué que quelques points, principalement par les consultations qu'elle a tenues au cours de l'année avec les associations représentant les communautés francophones de trois provinces de l'Atlantique. De plus, la Société a enfin reconnu qu'il existait un lien important entre la sécurité des passagers et l'aspect linguistique du service. Elle a en effet publié un guide visant à aider les employés à faire des annonces publiques dans les deux langues à bord des traversiers.

Il reste qu'il est encore difficile pour les voyageurs francophones d'obtenir des services dans leur langue. Parmi les 3 152 employés de Marine Atlantique — qui sont recrutés dans un bassin de population en majorité unilingue anglophone —, seulement 65 occupent des postes bilingues, dont 52 sont saisonniers. Il est donc courant qu'aucun employé bilingue ne soit disponible lors de certains quarts de travail, ce qui rend très aléatoires les services en français à bord des traversiers, et plus encore dans les gares maritimes.

Seul le service de réservations RESMAR dispose d'une capacité bilingue suffisante pour assurer un service bilingue en tout temps et en toute saison. Pour le reste, malgré les efforts de la Société pour encourager ses employés à offrir activement les services dans les deux langues officielles, les progrès en ce sens sont plutôt modestes.

Pour la première fois depuis la création de la Société, nous avons abordé cette année la question de la langue de travail. Nous avons en effet demandé aux gestionnaires de Marine Atlantique de considérer l'idée d'accorder au français un statut égal comme langue de travail à l'administration centrale de Moncton ; la réponse a été un « non » catégorique. La Société ne pourrait, semble-t-il, entreprendre des changements à ce chapitre sans bouleverser les pratiques établies. De fait, si l'on considère que les instruments de travail, de même que la quasi-totalité des surveillants, sont unilingues anglais, il semble que les rares employés francophones de Marine Atlantique n'aient plus qu'à en prendre leur parti. Or cela est d'autant plus inacceptable que l'administration centrale de la Société est située dans une province officiellement bilingue.

Le taux de participation des francophones n'arrange certes pas les choses : ils ne sont que 94 sur un total de 3 152 employés (3,0 p. 100). Les francophones sont donc sous-représentés dans presque toutes les catégories d'emploi, et sont totalement absents de la haute direction. Les seules catégories où leur taux de participation dépasse 5 p. 100 sont celles des Spécialistes avec 15,8 p. 100 et des Ventes avec 25,0 p. 100. Marine Atlantique n'envisage pour l'instant aucune mesure en vue de remédier à cette situation, même si elle s'est fait dire par le Comité mixte des langues officielles qu'elle devrait se doter d'un programme d'action positive en faveur des francophones. La Société devrait notamment élargir son bassin de recrutement et s'engager à embaucher un plus grand nombre de francophones.

Afin de mieux gérer son tout nouveau programme des langues officielles, la Société s'est dotée d'un comité de liaison des langues officielles formé de hauts gestionnaires et d'un coordonnateur à temps partiel. Elle a également présenté cette année un plan sur les langues officielles au Ministre dont elle relève. Ce plan nous semble cependant trop axé sur le maintien des acquis plutôt que sur une volonté de progresser vers l'égalité des deux langues officielles. Si les gestionnaires doivent rendre des comptes quant à la réalisation des objectifs fixés, l'absence de contrôles rigoureux permet de douter de l'efficacité d'un tel plan. La Société aurait tout avantage à désigner un coordonnateur des langues officielles à temps plein afin d'assurer un tel contrôle.

Les 43 plaintes reçues cette année contre Marine Atlantique portaient toutes sur la langue de service. Près du tiers avaient trait au manque de service en français de la part des guichetiers et des responsables du stationnement dans les gares maritimes. Les autres touchaient des affiches ou des annonces en anglais seulement, l'absence de service en français de la part de concessionnaires et divers autres aspects de la langue de service. En 1986, nous avions reçu 60 plaintes contre la Société.

Pêches et Océans

Le ministère des Pêches et Océans a fait des efforts louables cette année pour améliorer sa situation linguistique, efforts qui cependant ont été entravés, jusqu'à

un certain point, par une réorganisation et une réduction de son effectif. Si certains progrès ont été accomplis sur le plan du service bilingue au public, le français est toujours largement sous-utilisé comme langue de travail à l'administration centrale, et cela en dépit d'initiatives intéressantes.

Afin d'améliorer le service au public, le Ministère a augmenté le nombre de postes bilingues dans les Maritimes et a amorcé des consultations plus étroites avec la communauté francophone de la région de Scotia-Fundy. La signalisation, de même que les documents destinés au public, sont généralement en français et en anglais.

Le Ministère est donc en mesure d'assurer un service dans les deux langues dans les régions bilingues et dans plusieurs bureaux des régions à « demande importante ». Ce n'est toutefois pas le cas dans certains de ses bureaux en Nouvelle-Écosse, sur la côte ouest de Terre-Neuve, à l'Île-du-Prince-Édouard et dans le sud-est du Nouveau-Brunswick.

Dans l'ensemble du Ministère, 1 037 des 6 023 postes sont désignés bilingues (17,2 p. 100) et 873 titulaires possèdent la compétence linguistique requise (84,2 p. 100). La majorité des postes bilingues (1 027 ou 99 p. 100) se trouvent dans la Capitale nationale (445), au Québec (187), dans les régions du Golfe (290) et de Scotia-Fundy (105). Avec seulement dix postes bilingues dans les autres régions, le Ministère ne peut assurer le service aux clients dans les deux langues.

L'Institut Maurice-Lamontagne de Sainte-Flavie, au Québec, a ouvert officiellement ses portes en juin 1987, devenant ainsi le premier centre de recherche du Ministère où la langue de travail sera presque exclusivement le français. Pêches et Océans mérite des félicitations pour cette initiative, qui offrira aux scientifiques francophones de nouvelles chances de travailler dans leur langue.

Le Ministère a également pris d'autres dispositions pour favoriser une utilisation accrue du français comme langue de travail. Les plans des régions doivent maintenant comporter des mesures précises en ce sens et un service de révision de textes est offert à ceux et celles qui désirent écrire en français. L'administration centrale communique essentiellement en français avec le Québec et dans les deux langues avec le Nouveau-Brunswick. Presque tous les documents sont bilingues, et les services financiers, administratifs et du personnel sont offerts dans les deux langues.

Les problèmes relatifs à la langue de travail viennent en bonne partie du fait que près de 50 p. 100 de tout le personnel se retrouve dans les régions du Pacifique et de Scotia-Fundy, où la population francophone est peu nombreuse. Il en résulte que les francophones ne représentent que 15 p. 100 des 6 023 employés du Ministère. Dans la région de la Capitale nationale, cependant, les francophones compte pour 27 p. 100 des 552 employés, et ils constituent 42,8 p. 100 des 345 employés de la région du Golfe, ce qui nous semble trop élevé. La participation anglophone au Québec est faible, tout juste sous les 8 p. 100.

La difficulté majeure, toutefois, vient de la distribution des deux groupes linguistiques. La participation francophone est bien en deçà de 15 p. 100 dans toutes

les catégories d'emploi, sauf dans celles de l'Administration et service extérieur (22 p. 100) et du Soutien administratif (25,4 p. 100). Dans la région de la Capitale nationale, le Ministère devra s'efforcer d'accroître la participation des francophones au sein de la catégorie Gestion — des 58 gestionnaires, 6 seulement sont francophones (10,3 p. 100) —, et dans les catégories Scientifiques et spécialistes et Technique (respectivement 10,5 et 13,5 p. 100).

Le programme des langues officielles du Ministère est bien administré : les objectifs d'ordre linguistique sont intégrés au système de planification opérationnelle, les coordonnateurs et les directeurs scrutent les plans de travail et assurent l'unification des projets régionaux, et la collaboration des gestionnaires est en général bonne. Par contre, les objectifs en matière de participation sont mal définis, sauf en ce qui a trait aux francophones dans la catégorie Gestion et aux anglophones dans la catégorie Scientifiques et spécialistes au Québec.

Des 29 plaintes reçues contre Pêches et Océans cette année (comparativement à huit l'an dernier), 14 touchaient l'absence de publicité ministérielle dans les médias de langue minoritaire. D'autres portaient sur des questions telles que des communiqués de presse unilingues anglais et le nombre restreint d'exemplaires anglais des publications du Ministère au Salon des aînés à Montréal. Sept plaintes concernaient la langue de travail. Le Ministère a fait preuve de coopération dans le règlement de ces problèmes, et les solutions apportées furent satisfaisantes.

Pétro-Canada

En matière de langues officielles, l'année 1987 aura été pour Pétro-Canada une période de réflexion, d'organisation et de planification. Bien qu'elle éprouve encore, à tous égards, de nombreuses difficultés, la Société a néanmoins donné une nouvelle impulsion à son programme. Cela découle en partie de la comparution du président de la Société devant le Comité mixte des langues officielles, en mars, où la mise en œuvre de ce programme a fait l'objet de questions cruciales.

Les 3 728 stations-service de Pétro-Canada constituent ses principaux points de contact avec le public. À la fin de l'année, 697 d'entre elles avaient été désignées comme devant afficher dans les deux langues officielles. Alors que l'affichage bilingue est réservé aux collectivités où la minorité de langue officielle compte pour au moins 10 p. 100 de la population, nous trouvons encourageant que la Société ait l'intention de porter ce critère de 10 à 5 p. 100. Cette question étant réglée, osons espérer que Pétro-Canada saura prendre les moyens pour fournir des services réellement bilingues là où le besoin s'en fait sentir. À cet effet, la Société a mis sur pied deux projets dignes de mention : premièrement, un service téléphonique sans frais sera offert dans certaines stations-service dont le personnel ne peut communiquer dans les deux langues officielles avec la clientèle ; deuxièmement, on a distribué aux détaillants de produits Pétro-Canada un livret contenant des phrases usuelles dans les deux langues, qui sera bientôt suivi d'une cassette audio. Malgré les progrès qu'on peut attendre de ces deux initiatives, le service au public dans les stations-service présente encore des faiblesses

inacceptables : mentionnons à titre d'exemple les dépliants publicitaires, dont la qualité linguistique est pour le moins inégale, et les livrets de coupons, qui sont imprimés en versions française et anglaise distinctes.

Un autre service de la Société qui rejoint un grand nombre de Canadiens est celui du crédit. Reconnaissons ici que Pétro-Canada n'a pas ménagé ses efforts en vue d'assurer que l'on respecte la langue des clients dans la correspondance ; les seuls problèmes signalés à ce chapitre étaient dus à l'intégration des anciens clients de la société Gulf au système informatisé de Pétro-Canada. La Société a toutefois pris les mesures qui s'imposaient : le rabat détachable des enveloppes adressées aux clients leur permet désormais d'indiquer leur préférence linguistique. Soulignons par ailleurs que la Société fait régulièrement usage de la presse de langue minoritaire, et qu'elle subventionne diverses activités éducatives, culturelles, sportives et récréatives ; le programme qu'elle a établi à cet égard nous apparaît tout à fait équitable envers les deux groupes linguistiques.

D'autre part, Pétro-Canada a entrepris cette année d'identifier certaines fonctions nécessitant une connaissance des deux langues officielles aux fins du service au public, notamment celles des téléphonistes au siège social et dans les régions. Afin d'aider ces employés, la Société a distribué une brochure contenant les phrases d'accueil usuelles et leur équivalent dans l'autre langue.

Quoique le français n'occupe toujours pas la place qui lui revient, ni au siège social à Calgary ni dans les régions bilingues, des efforts en ce sens ont été consentis au cours des dernières années. Ainsi, la plupart des manuels administratifs sont maintenant disponibles dans les deux langues officielles et les cours sont offerts de façon équitable aux employés francophones et anglophones. De même, la documentation reliée à l'évaluation du rendement est distribuée en français et en anglais. Par contre, les services centraux, que ce soit au siège social ou dans les régions (sauf au Québec), ne sont dispensés en français que de façon très aléatoire. L'identification des fonctions devrait manifestement tenir davantage compte des impératifs en matière de langues officielles pour le service aux employés. Il serait souhaitable par exemple que la Société demande à tous ses employés dans quelle langue ils désirent traiter avec l'administration, et qu'elle prenne des mesures pour respecter ce choix.

Sur le plan de la participation, la situation demeure inacceptable : les francophones ne représentent que 12 p. 100 des 7 285 employés de la Société. Le Comité de perfectionnement des cadres supérieurs cherche à corriger cette faiblesse, mais il devra pour cela tenir compte de bien des facteurs, et notamment de la répartition géographique des opérations de la Société. Seules la région du Québec, avec 20,2 p. 100 d'anglophones, et la catégorie des Ventes, avec 27,3 p. 100 de francophones, affichent une participation équilibrée. On ne compte aucun francophone parmi les 21 employés du personnel de soutien, et seulement 15 parmi les 176 membres de la Gestion supérieure.

Bien que la Société ait affecté de nouvelles ressources à la gestion de son programme des langues officielles — tâche qui n'occupait, jusqu'à l'an dernier, qu'une seule personne à temps plein —, cela nous semble encore nettement insuffisant. La nouvelle équipe devra réfléchir sérieusement aux obligations qu'impose la *Loi sur les langues officielles*, et établir un réseau de contacts dans tous les secteurs de la Société afin de faire mieux connaître le programme des langues officielles et d'effectuer le contrôle nécessaire.

Les 32 plaintes reçues contre Pétro-Canada cette année (comparativement à 20 l'an dernier), dénonçaient toutes des manquements graves en matière de service au public, qu'il s'agisse d'affichage unilingue ou de correspondance ne respectant pas la langue préférée des clients. Certaines d'entre elles sont attribuables au manque de contrôle de la qualité sur le plan linguistique, tandis que d'autres illustrent clairement l'absence de capacité bilingue à certains points de service. Étant donné le nombre restreint de personnel affecté au programme des langues officielles, le règlement des plaintes est généralement lent et laborieux.

Radio-Canada

La Société Radio-Canada a dû accepter des coupures budgétaires à chaque année depuis 1984. En dépit de cela, elle a continué à offrir des services de radio et de télévision de grande qualité dans les deux langues officielles. Ce qui ne veut pas dire que les coupures n'ont pas eu d'effets sensibles. Certaines émissions locales ont été pratiquement éliminées et nous avons reçu à ce sujet des plaintes de membres de groupes minoritaires. À Québec, par exemple, la communauté anglophone doit se contenter d'émissions d'information émanant surtout de Montréal. Cela est particulièrement regrettable si l'on songe à l'importance du rôle que Radio-Canada est appelé à jouer dans le développement culturel de nos minorités nationales. Le plan accéléré de rayonnement de la Société est également en difficulté. Conçu à l'origine pour assurer l'installation, sur une base prioritaire, de nouveaux équipements techniques dans les régions mal desservies, le plan a été à toutes fins utiles mis au rancart faute d'argent.

La Société n'a pas pu fournir de données sur les postes bilingues ou sur la compétence linguistique de leurs titulaires. Cependant, avec ses réseaux français et anglais distincts, la Société a généralement peu de difficulté à offrir des services dans les deux langues, quoique des manquements se produisent à l'occasion dans des domaines tels que l'accueil téléphonique, les publications et l'affichage.

La situation en matière de langue de travail à Radio-Canada est relativement bonne. À l'administration centrale à Ottawa et à la Division de l'ingénierie à Montréal, les deux langues sont utilisées régulièrement lors des réunions et pour le travail en général. Les notes de service sont établies dans les deux langues, et l'encadrement tout comme l'évaluation des employés se font dans la langue d'élection de ces derniers.

Ailleurs, c'est le concept d'« hôte-invité » qui entre en jeu. À Montréal et à Québec, par exemple, le réseau français joue le rôle d'hôte auprès des employés du réseau anglais en leur fournissant des services centraux, techniques et de personnel. Le réseau anglais fait de même pour les employés du réseau français qui vont travailler à Halifax, Toronto, Windsor, Sudbury, Winnipeg, Regina, Edmonton et Vancouver. En règle générale, les deux réseaux s'acquittent bien de cette tâche, mais des problèmes subsistent à Toronto, Regina, Edmonton et Vancouver, où les services ne peuvent être offerts en français en tout temps faute de ressources bilingues.

Les anglophones représentent 59 p. 100 des 11 213 employés de la Société, alors que les francophones comptent pour 41 p. 100. Cette proportion est demeurée constante malgré les réductions de l'effectif. Quatre-vingt-dix-huit pour cent des employés du réseau français sont francophones, et un pourcentage comparable des employés du réseau anglais sont anglophones. Considérant le mandat de Radio-Canada, les deux groupes linguistiques sont relativement bien représentés à l'administration centrale (35,9 p. 100 de francophones contre 64,1 p. 100 d'anglophones). On note cependant que le taux de participation des anglophones à la Division de l'ingénierie est plutôt élevé : 67,6 p. 100 des 704 employés. À notre avis, la Société devrait s'efforcer de corriger ce déséquilibre.

Cette année, Radio-Canada a pu fournir des données au sujet des caractéristiques linguistiques de ses gestionnaires. Les francophones constituent 31,7 p. 100 des gestionnaires à la Division de l'ingénierie (69 sur 218). Compte tenu du fait que près de la moitié des employés de cette Division travaillent à Montréal, cette proportion est passablement faible. Dans les autres secteurs de la Société, y compris l'administration centrale, les deux groupes sont équitablement représentés dans la catégorie Gestion.

D'importants changements sont intervenus dans la gestion du programme des langues officielles de Radio-Canada. La Direction qui en était autrefois responsable avait quatre employés à temps plein, mais cette Direction a été abolie il y a deux ans et ses responsabilités ont été attribuées à la Direction de planification et de développement des ressources humaines. La coordonnatrice actuelle du programme des langues officielles est également responsable de la dotation et des plans de carrières. Les trois employés qu'elle dirige ne travaillent qu'à temps partiel au programme des langues officielles. Vu l'importance du personnel de Radio-Canada et la complexité de son mandat, nous avons de sérieuses réserves quant à l'efficacité de ces dispositions.

Nous avons reçu neuf plaintes contre la Société en 1987. L'une concernait l'absence d'un programme de formation dans la langue de l'intéressé. Les autres portaient sur la langue de service, notamment l'accueil téléphonique, l'affichage, les publications et certains documents. À ce jour, seulement quatre de ces neuf plaintes ont été réglées.

Revenu national (Douanes et Accise)*

Le ministère du Revenu national (Douanes et Accise) a de nouveau progressé en 1987. Malgré ses efforts pour mieux servir le public dans les deux langues officielles, des réductions de personnel et diverses contraintes opérationnelles — notamment l'affluence des voyageurs à certains postes frontière — lui ont rendu la tâche difficile. Au Québec, et à un degré moindre à l'administration centrale, le français a connu une plus grande utilisation en tant que langue de travail. Pour ce qui est de la pleine participation des deux groupes linguistiques, l'équilibre reste, globalement, satisfaisant. Des problèmes de taille subsistent cependant : le Ministère devra accroître sa capacité bilingue à l'extérieur du Québec afin de mieux répondre aux besoins des voyageurs, et corriger les déséquilibres qui continuent de se manifester dans certaines catégories d'emploi et dans diverses régions.

Depuis le début de l'année financière 1986-1987 (la deuxième année d'un plan quinquennal de réduction de son effectif), 300 employés ont quitté le Ministère, et 273 autres postes doivent être abolis d'ici la fin de l'exercice financier actuel. Ces réductions limitent les possibilités de la direction d'embaucher du nouveau personnel et de libérer les employés pour des cours de langue, mais le Ministère n'en a pas moins maintenu sa capacité bilingue : 93 p. 100 des 3 127 employés occupant des postes bilingues ont la compétence requise.

Le Ministère a consenti de sérieux efforts pour offrir activement un service dans les deux langues : il a installé des enseignes dans tous les bureaux des Douanes ; effectué périodiquement des sondages approfondis pour déterminer la demande ; et, dans deux grands aéroports, consacré un guichet au service bilingue. Le Ministère devrait poursuivre ses consultations auprès des minorités de langue officielle quant aux moyens d'améliorer la qualité de ses services. En plusieurs endroits en Ontario, l'annonce de services bilingues aux abords des ponts et des tunnels internationaux est inexistante parce que leurs propriétaires s'y montrent réticents. Le Ministère se promet cependant de remédier à la situation en utilisant les pouvoirs que lui confère la nouvelle *Loi sur les douanes*.

Les voyageurs qui se présentent aux douanes souhaitent principalement que tout se déroule sans problème. Il est donc primordial que le Ministère prenne les devants et leur offre un accueil et un service bilingues. C'est pourquoi nous avions suggéré au Ministère de désigner à chaque bureau des douanes un poste d'inspection bilingue clairement identifié. Aussi faut-il se réjouir de sa décision de mener un projet pilote en ce sens avant la fin de mars 1988.

En préparation pour les Jeux olympiques de 1988, le Ministère se propose d'affecter huit inspecteurs des douanes pleinement bilingues à l'aéroport de Calgary, afin d'assurer que les voyageurs puissent être servis en français ou en anglais. À l'heure actuelle, cependant, seulement 52 des 140 postes douaniers ont au moins un employé effectivement bilingue. Soulignons qu'on n'exige des inspecteurs des douanes qu'une connaissance de niveau intermédiaire de la langue

seconde, ce qui est nettement insuffisant lorsqu'il faut discuter avec les intéressés lors d'une fouille ou d'une saisie. Nous avions indiqué l'année dernière que la capacité bilingue du Ministère était particulièrement faible dans le sud et l'ouest de l'Ontario (à peine 5,4 p. 100 des quelque 3 000 postes sont bilingues). La situation demeure pratiquement inchangée cette année. Cependant, le Ministère continue d'embaucher un nombre raisonnable d'étudiants bilingues pendant l'été, politique qui devrait éventuellement améliorer sa capacité bilingue. En 1987, 195 des 639 étudiants embauchés parlaient les deux langues (30,5 p. 100).

La composante « Accise » du Ministère traite avec une clientèle moins nombreuse et plus clairement définie, et est généralement en mesure de la servir dans les deux langues officielles.

Aux Services des travaux scientifiques et de laboratoire, notre vérification de 1987 a révélé que le français n'est guère utilisé comme langue de travail, les surveillants n'ayant pas une connaissance suffisante de leur langue seconde. Soucieux de favoriser une plus grande utilisation du français, le Ministère a rehaussé les exigences linguistiques de 20 p. 100 des postes de cadres supérieurs et de 15 p. 100 des postes dans les services centraux et du personnel. D'ici quatre ans, jusqu'à 50 p. 100 de tous les postes auront vu leurs exigences linguistiques rehaussées.

Le Ministère a modifié ses formulaires d'évaluation de rendement afin de permettre aux employés d'y indiquer leur préférence linguistique. Le groupe qui, à l'administration centrale, est chargé de surveiller la langue des communications écrites avec le Québec, a constaté que la majorité d'entre elles se faisaient en français.

Globalement, la participation des deux groupes linguistiques reste bien équilibrée au sein du Ministère. Des 9 825 employés, 27 p. 100 sont francophones et 73 p. 100 anglophones. Aux échelons les plus élevés cependant, les francophones sont toujours sous-représentés malgré une augmentation de 3 p. 100 par rapport à l'an dernier (19 p. 100 contre 16 p. 100). Il faut par ailleurs déplorer le fait que la participation anglophone au Québec soit passée de 6,9 p. 100 en 1986 à 6,7 p. 100 en 1987. De concert avec d'autres ministères fédéraux, Douanes et Accise a décidé de travailler avec des associations anglo-québécoises à la solution de ce problème fort ancien. En général, les francophones sont bien représentés dans les autres provinces.

Douanes et Accise a maintenu un programme des langues officielles efficace, bien appuyé par la haute direction. Grâce à des mécanismes de surveillance adéquats, le Ministère a pu adopter des mesures correctives qui devraient lui permettre d'améliorer son rendement. Le personnel, à tous les niveaux et dans toutes les régions, a reçu des directives précises quant aux moyens à prendre pour atteindre les objectifs du Ministère.

Comme l'an dernier, nous avons reçu 17 plaintes contre le Ministère en 1987. La plupart venaient de voyageurs insatisfaits du service offert aux douanes. Le Ministère a réglé la majorité des plaintes avec promptitude.

Revenu national (Impôt)

Sur le plan linguistique, le ministère du Revenu (Impôt) a connu le calme plat durant une bonne partie de 1987. À la fin de l'année, cependant, la haute direction s'est fermement engagée devant le Comité mixte des langues officielles à relancer son programme. Il s'agit surtout de combler les lacunes persistantes aux services de recouvrement et de vérification, et d'accorder la place qui revient au français comme langue de travail à l'administration centrale. Par contre, le Ministère offre généralement ses services réguliers dans les deux langues, et la participation des deux groupes linguistiques y est assez bien équilibrée.

Les services réguliers au public sont offerts par le biais de trente-six bureaux de district et de sept centres fiscaux. Dix des bureaux de district et quatre des centres fiscaux sont situés dans des régions bilingues, et ils sont généralement en mesure d'offrir sans problème leurs services dans les deux langues. Par exemple, la proportion d'employés bilingues se situe autour de 80 p. 100 dans la région de Montréal, 45 p. 100 à Ottawa, 43 p. 100 à Sudbury et 38 p. 100 à Saint-Jean (N.-B.). Pour faciliter la prestation de services bilingues, le Ministère a accru de 15 à 17 le nombre de bureaux disposant de lignes téléphoniques distinctes pour les demandes de renseignements dans chaque langue. Dans certains bureaux, l'on ne compte que 2 ou 3 p. 100 d'employés bilingues. C'est le cas notamment à Halifax, à Charlottetown, à Toronto et à Edmonton. Le problème est particulièrement aigu dans l'Ouest où il n'y a que 84 employés bilingues sur 4 753 (1,8 p. 100). Globalement, le Ministère compte 3 537 postes bilingues sur 17 809 (19,9 p. 100), et un peu plus de 90 p. 100 des titulaires satisfont aux exigences requises.

La principale lacune en matière de service se situe du côté des services de vérification et de recouvrement. Bien que nous ayons porté cette situation à l'attention du Ministère à maintes reprises depuis 1982, il n'y a toujours aucun vérificateur bilingue à Halifax, Edmonton ou Vancouver, et il n'y en a que deux sur 628 à Toronto. Comme ces services peuvent avoir un caractère intimidant pour le contribuable, il est d'autant plus impérieux qu'on corrige cette situation. La haute direction s'est engagée devant le Comité mixte à s'en occuper activement.

Le Ministère a pris certaines mesures pour inciter les contribuables francophones de l'extérieur du Québec à demander des services dans leur langue. À l'heure actuelle, le pourcentage de demandes en ce sens se situe globalement à environ 2 p. 100. Ainsi, il a écrit aux principales firmes de comptables pour les inviter à demander à leurs clients dans quelle langue ils souhaitent que leur déclaration soit remplie. Il a aussi joint aux formulaires de déclaration personnalisés un texte invitant les contribuables à désigner la langue dans laquelle ils désirent être servis. Il pourrait toutefois faire davantage. Par exemple, il pourrait inclure de

l'information sur les droits linguistiques dans la *Déclaration des droits du contribuable*, publiée pour la première fois en 1986. Il pourrait aussi utiliser sa publicité dans les médias pour faire connaître l'existence de ces droits. Le Ministère devrait aussi éviter les erreurs de distribution des formulaires d'impôt : il arrive qu'ils ne soient disponibles qu'en anglais dans certaines régions, ce qui oblige les francophones à soumettre leurs déclarations en anglais. Ce fut le cas cette année, les formulaires en anglais ayant été distribués avant ceux en français. De plus, on nous a rapporté que le Ministère ne communiquait qu'en anglais avec les entreprises nouvellement établies dans la région de l'Outaouais. À la suite de notre intervention, le Ministère a corrigé cette anomalie.

La place du français en milieu de travail ne s'est guère améliorée au cours de l'année. Le français constitue naturellement la langue de travail au Québec et, dans une certaine mesure, aux bureaux de Bathurst, de Sudbury et au centre fiscal d'Ottawa. Aux bureaux de Sudbury, la direction encourage activement l'usage du français lors des réunions. Par contre, au Nouveau-Brunswick et à l'administration centrale, l'usage du français est restreint, même si les francophones y sont nombreux (le tiers du personnel à l'administration centrale). Soulignons que dans l'ensemble du Ministère, 88 p. 100 des textes sont traduits de l'anglais vers le français, ce qui illustre bien la place qu'occupe cette dernière langue. Le principal obstacle à un usage plus équitable du français demeure l'unilinguisme de nombreux cadres et surveillants. Près de 30 p. 100 des surveillants ne répondent pas aux exigences linguistiques de leur poste ou n'ont qu'une connaissance limitée du français. Cette proportion atteint même 38,1 p. 100 (32 sur 84) chez les cadres supérieurs. Aucune nouvelle mesure n'a été prise au cours de l'année pour corriger ces problèmes persistants. La haute direction a cependant reconnu devant le Comité mixte la nécessité de donner plus de place au français.

La situation est relativement satisfaisante sur le plan de la participation des deux groupes linguistiques parmi les 17 809 employés : on compte 73 p. 100 d'anglophones et 27 p. 100 de francophones. Ces derniers forment maintenant 23,4 p. 100 de la catégorie Gestion et 22,6 p. 100 de celle des Scientifiques et spécialistes. Ils demeurent toutefois sous-représentés dans la Gestion à l'administration centrale avec 19,3 p. 100 des postes. On note par ailleurs quelques progrès sur le plan régional : les francophones forment maintenant 28 p. 100 du personnel au Nouveau-Brunswick, comparativement à 21,3 p. 100 en 1984. Dans l'Ouest cependant, ils ne sont qu'une cinquantaine sur 4 753 employés (1 p. 100). De même, les anglophones ne forment que 4 p. 100 du personnel au Québec ; on devra donc poursuivre les efforts pour accroître cette proportion.

La gestion du programme n'est pas aussi rigoureuse qu'elle le devrait, compte tenu des lacunes qui persistent. Les mesures de contrôle, tant dans les régions qu'à l'administration centrale, demeurent fragmentaires. Il n'y a que trois personnes à l'administration centrale pour veiller à l'ensemble du programme,

et ce dans un ministère qui compte près de 18 000 employés permanents et 7 000 employés occasionnels. La haute direction s'est engagée à corriger cette situation.

Nous avons reçu 59 plaintes contre le Ministère cette année, comparativement à 30 en 1986. Trente-cinq d'entre elles touchaient le manque de service en français au téléphone ou en personne et de la correspondance envoyée en anglais à des francophones. Une dizaine de personnes se sont plaintes de ne pouvoir se procurer un formulaire de déclaration de revenus en français alors que celui-ci était disponible en anglais. Enfin, une autre dizaine de contribuables ont déploré la mauvaise qualité du français de documents du Ministère. Certaines de ces plaintes ont été réglées rapidement mais, dans d'autres cas, il a fallu revenir plusieurs fois à la charge avant d'obtenir satisfaction.

Santé nationale et Bien-être social

Sur le plan linguistique, l'année écoulée n'a pas donné lieu à d'importantes percées au ministère de la Santé nationale et du Bien-être social. Bien qu'il ait été en mesure d'offrir un service bilingue convenable, son rendement à d'autres égards est resté quelque peu en-dessous de la moyenne. Au lieu de s'attaquer aux problèmes que nous avions cernés dans nos rapports antérieurs, le Ministère s'est contenté de suivre les sentiers battus et a préféré laisser à d'autres le soin d'innover.

Le Ministère a la capacité d'offrir des services de qualité égale dans les deux langues officielles dans les régions à « demande importante ». Cela est particulièrement vrai de la Direction générale des programmes de sécurité du revenu, où les rapports avec le public sont nombreux. Même dans les régions à faible demande, cette Direction offre un service bilingue par le truchement de lignes téléphoniques spéciales. Si elle a connu des difficultés à ce sujet à son bureau régional de Scarborough en Ontario, le problème est en voie d'être résolu. La signalisation bilingue, l'accueil téléphonique et en personne et les cartes-comptoir, voilà autant de moyens utilisés par le Ministère pour encourager les clients à employer leur langue d'élection.

La capacité bilingue du Ministère est demeurée relativement constante au fil des ans : le nombre de postes bilingues est maintenant de 2 686, sur un total de 8 710, mais seulement 81,5 p. 100 des titulaires possèdent la compétence linguistique voulue. Le nombre d'employés bilingues en Saskatchewan, en Alberta et en Colombie-Britannique demeure faible, à 1,3 p. 100 (16 sur 1 277). Le Ministère s'emploie à rehausser progressivement les exigences linguistiques de tous ses postes bilingues : à l'heure actuelle, 272 n'exigent que le niveau le plus bas, comparativement à 329 en 1986. Nous avions recommandé l'élimination de ce niveau de connaissance de la langue seconde pour tous les postes comportant le service au public, et nous sommes heureux de souligner les progrès du Ministère en ce sens.

Comme plusieurs autres ministères, Santé nationale et Bien-être social a mis en place l'infrastructure de base d'un programme touchant la langue de travail. Les

documents de travail et les directives sont bilingues, comme le sont les systèmes informatiques les plus fréquemment utilisés. Les services centraux et du personnel sont dispensés dans les deux langues par un nombre suffisant d'employés bilingues, et les exigences linguistiques intéressant les surveillants qui occupent des postes bilingues se font progressivement plus rigoureuses. En outre, le pourcentage de surveillants qui satisfont aux exigences linguistiques de leurs postes, bien qu'il soit trop bas (75,8 p. 100), augmente néanmoins. Malgré tout ce qui précède, les conditions ne sont pas encore réunies qui favoriseraient un meilleur emploi des deux langues officielles au travail. Le français est toujours peu utilisé au Ministère à l'extérieur du Québec. Des mesures s'imposent donc pour inciter les gestionnaires de tous les niveaux à s'engager davantage à cet égard, et surtout à créer des conditions de travail favorables.

La participation francophone est quelque peu faible au Comité de la haute direction (21,5 p. 100) et dans quatre des six catégories professionnelles, mais cela est encore plus marque chez les Scientifiques et spécialistes (14,6 p. 100). La participation anglophone au Québec se situe à un médiocre 3,3 p. 100.

Le Ministère ne suit pas de près la situation en matière de langues officielles, si bien que les mesures correctives ne sont prises qu'à la suite de plaintes que nous portons à son attention. Un système de vérification interne en matière de langue de travail et de pleine participation doit être mis en place.

Cinquante-deux plaintes ont été portées contre le Ministère en 1987, comparativement à 45 l'an dernier ; 47 d'entre elles concernaient le service au public, et plus particulièrement l'accueil téléphonique, la publicité dans les médias minoritaires, la correspondance et le service en personne. Les cinq autres portaient sur la langue de travail et la gestion du programme des langues officielles. Le règlement des plaintes reliées à des carences systémiques a été quelque peu laborieux.

Secrétariat d'État

Cette année encore, le Secrétariat d'État a affiché un bon rendement en matière de langues officielles. Certaines lacunes subsistent, cependant, qui devraient être comblées sans délai. Mais il n'y a aucun problème à signaler sur le plan de la langue de travail, et les efforts pour augmenter la participation anglophone au Québec ont donné certains résultats en 1987.

La difficulté la plus manifeste et la plus sérieuse reste la pénurie de juges bilingues au Bureau de la citoyenneté. En 1987, seulement 8 des 35 juges étaient bilingues, alors qu'on en comptait 11 sur 37 en 1986. Le Ministère a reconnu la nécessité d'agir, et les juges unilingues ont été autorisés à prendre des leçons particulières de français. En outre, on a préparé — mais pas encore rendu publiques — des directives qui prévoient que, au cours des cérémonies d'assermentation, les juges unilingues seront accompagnés par un officier bilingue, que les candidats à la citoyenneté auront le choix du français ou de l'anglais lors des entrevues et que

l'hymne national sera chanté dans les deux langues. Il est maintenant temps de mettre ces directives en pratique ; nous nous pencherons sur cette question lors de notre vérification en 1988.

Plus tôt cette année, le Ministère a indiqué son intention d'intégrer des exigences en matière linguistique aux ententes avec les associations volontaires qu'il subventionne. À ce jour, cependant, aucune mesure concrète n'a été prise, et nos minorités nationales restent à la merci des associations pour ce qui est de la langue de service. En outre le Ministère a négligé, lors de ses consultations avec des organisations volontaires dans tout le Canada, de respecter systématiquement leur langue officielle d'élection. De même, comme les directeurs régionaux doivent communiquer régulièrement avec les minorités, il nous semble que ces postes devraient exiger le niveau supérieur de compétence en langue seconde, ce qui n'est pas toujours le cas.

Présentement, le Secrétariat réexamine ses formalités administratives pour s'assurer que les agences de recouvrement chargées de récupérer les prêts aux étudiants fonctionnent dans la langue d'élection de ces derniers. Mais curieusement, les changements pratiques tardent à se manifester.

Sur le front de la langue de travail, c'est le beau fixe partout. Le document audio-visuel dont se sert abondamment le Secrétariat pour sensibiliser les gestionnaires et les employés à leurs droits et obligations linguistiques s'avère des plus efficaces. Le fait, par ailleurs, qu'à peu près tous les gestionnaires possèdent une connaissance supérieure de leur langue seconde permet d'encadrer les employés dans leur propre langue presque automatiquement, de tenir des réunions en français aussi bien qu'en anglais et de dispenser des services centraux aux employés dans la langue de ces derniers.

On a noté peu de changement dans les taux de participation des francophones et des anglophones cette année. Si l'on exclut la Direction générale des opérations de traduction — qui, de par sa vocation même, compte un très grand nombre de francophones — les anglophones occupent 52,1 p. 100 des postes du Ministère comparativement à 54,5 p. 100 en 1986 ; ils demeurent sous-représentés dans les catégories Soutien administratif (46,2 p. 100) et Gestion (58,8 p. 100). Au Québec, où leur taux de participation a toujours été bas, des progrès ont enfin été réalisés : mis à part la Direction générale des opérations de traduction, les anglophones y occupent maintenant 9,8 p. 100 des postes (7 sur 72), contre 5,6 p. 100 en 1986. Un comité interne, chargé spécialement de ce dossier, a réussi à recruter des anglophones de l'extérieur de la Fonction publique.

Bien que les objectifs en matière de langues officielles ne soient pas intégrés à la planification opérationnelle, l'évaluation du rendement des gestionnaires porte également sur leurs réalisations en ce domaine. De la même façon, la vérification interne mesure les résultats sur le plan linguistique. Nous avions l'an dernier attiré l'attention du Ministère sur les dangers que comportait la réduction de l'effectif

de la section des langues officielles ; rien n'a été fait à ce jour pour apaiser nos craintes de voir son efficacité réduite.

Nous avons reçu 22 plaintes contre le Ministère en 1987, six de plus que l'an dernier. Toutes avaient trait au service au public. Quatre d'entre elles visaient le Bureau de la citoyenneté ; cinq des cas de signalisation unilingue anglaise ; six autres des documents distribués dans une seule langue ; une autre la parution d'une annonce en français seulement dans une publication bilingue ; et les six dernières venaient de citoyens qui n'avaient pu obtenir de service en français de la part de commis. À la fin de l'année, 12 cas étaient toujours à l'étude.

Sénat

La mise en place d'un programme des langues officielles efficace s'avère laborieuse au Sénat. Le plan que nous réclamions depuis plusieurs années en cette matière et qui avait été promis pour 1987 n'a pas encore vu le jour, quoiqu'on ait entrepris d'en jeter les bases. De même, on n'a pas encore établi clairement les responsabilités de chacun à cet égard. Qui plus est, le Sénat n'est pas en mesure d'établir avec certitude le nombre de ses employés francophones et anglophones.

Le tableau est moins sombre en ce qui a trait au service au public. L'accueil des visiteurs et les visites guidées se font correctement dans les deux langues. Les sénateurs bénéficient de services bilingues et, tout comme les témoins, ils peuvent s'exprimer dans l'une ou l'autre langue lors des réunions des comités. À ce sujet, l'Administration du Sénat s'est empressée de corriger une anomalie qui avait été portée à notre attention : il arrivait que les interprètes ne traduisent pas certaines interventions faites en anglais. Dans l'ensemble du Sénat, 62,1 p. 100 des postes (247 sur 398) sont bilingues, et un peu plus des trois quarts sont occupés par des titulaires qualifiés.

La situation ne s'est guère améliorée en matière de langue de travail ; six des huit plaintes reçues cette année contre le Sénat portaient d'ailleurs sur cette question. Malgré le nombre élevé de francophones à l'Administration (plus de 40 p. 100), le français est nettement sous-utilisé, notamment lors des réunions et pour l'encadrement. Ainsi, près de 40 p. 100 des gestionnaires (21 sur 56) ne répondent pas aux exigences linguistiques de leur poste, et trois des six cadres supérieurs n'ont qu'une connaissance limitée du français ; cette langue est donc rarement employée aux échelons supérieurs. L'Administration du Sénat doit se montrer beaucoup plus énergique si elle entend corriger ces lacunes persistantes : elle devrait émettre des directives plus fermes à l'intention des gestionnaires, et mettre en place un programme de formation linguistique plus dynamique. Signalons néanmoins que les services centraux sont généralement offerts dans les deux langues et que la capacité bilingue du service des Finances s'est accrue. Les cours de formation, dont ceux sur le traitement de texte, sont également offerts dans les deux langues.

Le Sénat estime que 58 p. 100 de ses 398 employés sont anglophones, et 42 p. 100 francophones. Or l'an dernier, les chiffres fournis indiquaient presque exactement le contraire : 62 p. 100 de francophones et 38 p. 100 d'anglophones. Prié d'expliquer cette incohérence, le Sénat a répondu que les données n'avaient pas été mises à jour depuis quelques années et qu'on s'était fié cette année à un critère différent, soit la langue choisie par l'employé dans ses communications avec les services administratifs. Cette dernière méthode manque toutefois de précision ; à notre avis, le Sénat devrait effectuer un nouveau recensement et demander aux employés eux-mêmes d'indiquer leur première langue officielle.

La gestion du programme des langues officielles demeure la principale faiblesse du Sénat. Voilà plusieurs années que nous lui demandons de se doter d'un plan d'action dans ce domaine. Osons espérer qu'il donnera suite rapidement à l'ébauche rédigée cette année. Une fois les objectifs établis, le Sénat devra déterminer les responsabilités de chacun à cet égard, et confier à un gestionnaire le soin d'en contrôler la réalisation. Il ne faudrait surtout pas qu'un plan aussi longuement mûri demeure lettre morte.

Le Sénat prépare également une politique touchant la dotation des postes bilingues. Tous les postes comblés par des candidats de l'extérieur exigeraient a priori la connaissance des deux langues. Il en serait de même pour un certain nombre de postes confiés à des membres du personnel en place.

Alors que nous n'avions reçu aucune plainte contre le Sénat en 1986, nous en avons reçu huit cette année. Trois d'entre elles portaient sur la piètre qualité de la version française de notes de service et de directives internes, et deux autres sur l'unilinguisme anglais des réunions du personnel. Sauf dans le cas des services d'interprétation dont nous avons déjà parlé, le Sénat a tenté de se justifier plutôt que de prendre les mesures qui s'imposaient.

Service canadien du renseignement de sécurité

La situation linguistique au sein du Service canadien du renseignement de sécurité (SCRS) a défrayé la chronique en 1987. Les difficultés de l'organisme à résoudre certains problèmes persistants, notamment au chapitre des communications avec la région du Québec, ont été mises en lumière lors de ses deux comparutions devant le Comité mixte ainsi que dans un rapport du comité chargé de sa surveillance.

Il semble cependant que le Service reprenne peu à peu les choses en main. Il a entre autres adopté au cours de l'été un plan d'action précis, qui devrait permettre de combler la plupart des lacunes relevées lors de notre vérification de 1986 ; il a aussi pris des mesures rigoureuses pour régler la question des communications avec le Québec. Il lui reste néanmoins beaucoup à faire : il doit notamment s'assurer que l'on communique avec les fonctionnaires dans la langue appropriée lors des enquêtes de sécurité, et accroître la place du français et des francophones à l'administration centrale.

Le Service a donné suite à notre recommandation d'ajouter les bureaux de Moncton et de Winnipeg à la liste de ceux devant offrir des services dans les deux langues. Les bureaux de Toronto et de Winnipeg comptent maintenant trois postes bilingues chacun, et le tiers des employés de la région de l'Atlantique peuvent s'exprimer dans l'une ou l'autre langue officielle. À l'ouest de Winnipeg, toutefois, la capacité bilingue de ses bureaux est presque nulle, et il faut acheminer les demandes de service en français au bureau de Winnipeg.

Le SCRS a révisé les exigences linguistiques de tous ses postes et vérifié la compétence de leurs titulaires à cet égard : 42 p. 100 des postes exigent la connaissance des deux langues, mais près du quart d'entre eux sont occupés par des employés non qualifiés linguistiquement. D'ici 1991, l'organisme entend porter la proportion de postes bilingues à 50 p. 100, et s'assurer que 90 p. 100 des titulaires répondent aux exigences requises. Pour atteindre cet objectif, le Service a mis l'accent sur la formation linguistique : à la fin de l'année, quelque 220 employés suivaient des cours de langue.

La question des enquêtes de sécurité sur les fonctionnaires, notamment dans la région d'Ottawa, n'est pas encore entièrement résolue. On a émis des directives pour s'assurer que l'on respecte la langue des fonctionnaires concernés, mais seulement le tiers des enquêteurs sont bilingues. Qui plus est, ces postes n'exigent que le niveau de connaissance intermédiaire de la langue seconde, ce qui nous paraît insuffisant compte tenu du caractère délicat de ces enquêtes. Le Service est à examiner notre recommandation d'augmenter sensiblement le nombre d'enquêteurs bilingues et d'exiger le niveau supérieur de connaissance linguistique. Il s'emploie aussi à revoir les exigences linguistiques des postes à l'étranger, qui avaient fait l'objet de critiques lors des comparutions de l'organisme devant le Comité mixte.

Sur le plan de la langue de travail, le SCRS semble avoir réglé l'épineux problème des télex unilingues anglais envoyés par l'administration centrale à la région du Québec, sujet qui avait fait l'objet de nombreuses plaintes au cours des trois dernières années. Il a examiné attentivement toutes les plaintes, exigé des explications dans les cas de violation de la politique gouvernementale, et établi des mesures de contrôle rigoureuses : dorénavant, toute dérogation est automatiquement portée à l'attention des responsables grâce à un code affiché sur les écrans d'ordinateur. Les résultats semblent concluants, puisque nous n'avons reçu aucune plainte à ce sujet depuis le début de l'été. Par ailleurs, à la fin de l'année, le Service mettait la dernière main à une politique touchant tous les aspects des communications internes.

La prestation de services internes en français s'est améliorée : le secteur des relations de travail peut maintenant traiter dans les deux langues officielles, et le service d'évaluation et de consultation compte deux psychologues bilingues (un francophone et un anglophone). Le Service s'est aussi engagé à offrir tous les cours de formation professionnelle dans les deux langues à partir de 1988.

À cet effet, il a décidé de transférer à Ottawa son école de formation, ce qui lui permettra d'offrir la formation de base en français et en anglais à partir du printemps.

Il reste cependant plusieurs obstacles à surmonter pour assurer une place plus équitable au français, notamment à l'administration centrale. La plupart des postes de gestion que l'on y retrouve exigent maintenant la connaissance des deux langues (87 p. 100), mais près de 40 p. 100 de leurs titulaires ne satisfont pas aux exigences requises. L'usage du français y est donc restreint, que ce soit pour la rédaction des documents, au cours des réunions ou dans les échanges entre les surveillants et leurs subalternes. L'objectif du Service à ce chapitre est de rehausser au plus haut niveau les exigences linguistiques de la plupart des postes de gestion supérieure, à l'administration centrale comme dans les autres régions bilingues. Il exigera par ailleurs, à compter de 1990, que les candidats aux postes de direction répondent déjà aux exigences linguistiques requises. Ces mesures sont certes louables, mais c'est dans l'immédiat que le Service doit améliorer la capacité bilingue parmi ses gestionnaires s'il veut favoriser un usage accru du français. Seulement huit gestionnaires supérieurs de l'administration centrale ont suivi des cours de langue cette année, et aucun du bureau régional d'Ottawa.

Le SCRS dispose maintenant de données précises sur la composition linguistique de son personnel. La participation globale des deux groupes est assez satisfaisante avec 28 p. 100 de francophones et 72 p. 100 d'anglophones. La représentation des francophones est également assez bien équilibrée parmi les gestionnaires supérieurs (23 p. 100) et les principaux groupes d'agents (25 p. 100), mais demeure faible à l'administration centrale où ils ne forment que 15 p. 100 de l'effectif. Sur le plan régional, on note que les anglophones sont surreprésentés au Québec, où ils comptent pour 30 p. 100 du personnel, tandis que les francophones sont sous-représentés au bureau régional d'Ottawa (19 p. 100).

En ce qui a trait à la gestion de son programme des langues officielles, le SCRS a accompli certains progrès. Le Comité de gestion s'est régulièrement penché sur la question au cours de l'année, notamment lors des deux comparutions du Service devant le Comité mixte. Comme nous l'avons indiqué, il a adopté un plan d'action qui comporte des objectifs précis touchant tous les aspects du programme. On a également établi des objectifs pour chacune des unités administratives, mais ceux-ci ne sont pas encore intégrés aux plans opérationnels du Service et on ne tient pas compte des réalisations des gestionnaires à cet égard dans l'appréciation de leur rendement. Soulignons enfin que le Service procédait à la fin de 1987 à un examen de la situation au bureau régional d'Ottawa, qui a des retards sérieux à combler dans plusieurs domaines.

Nous avons reçu 458 plaintes contre le SCRS au cours de l'année, dont 455 avaient trait à des télex en anglais envoyés à la région du Québec. Notre enquête a révélé que 60 de ces plaintes étaient fondées puisque les télex en question provenaient de l'administration centrale, tandis que les autres provenaient du bureau régional

d'Ottawa. Or selon la politique gouvernementale, la langue des communications entre des régions bilingues peut être déterminée par le bureau qui émet la communication. Des quelque 1 700 télex unilingues mentionnés l'an dernier, il s'est avéré après examen que 759 constituaient des motifs de plaintes fondées.

Service correctionnel*

Les nombreux problèmes qu'éprouve le Service correctionnel en matière de langues officielles — notamment en ce qui touche les soins de santé pour les détenus francophones dans les provinces anglophones — sont apparus au grand jour cette année lors des deux comparutions de l'organisme devant le Comité mixte des langues officielles. Depuis, même s'il n'est pas au bout de ses peines, le Service a donné un sérieux coup de barre : ses bureaux régionaux ainsi que les établissements qu'il administre ont revu de près leur situation et se sont fixés des objectifs précis.

Des 10 479 postes du Service correctionnel, près de 17 p. 100 exigent le bilinguisme, et 92 p. 100 d'entre eux (1 611) sont occupés par des titulaires qualifiés. Si la capacité bilingue est généralement adéquate au Québec et dans la région de l'Atlantique, elle est toujours insuffisante dans l'Ouest, particulièrement en Colombie-Britannique où les employés bilingues ne forment que 3,4 p. 100 de l'effectif, alors que 7,6 p. 100 des détenus sont francophones. Si l'on fait exception du Québec, c'est au chapitre des services médicaux que les problèmes sont les plus sérieux. Par exemple, il n'y a qu'un psychiatre et aucun médecin bilingue pour tout l'Ontario. Les établissements de Dorchester et de Renous, au Nouveau-Brunswick, qui abritent plus d'une cinquantaine de détenus francophones, n'ont aucun médecin ou psychiatre bilingue. Le Service s'est efforcé au cours des derniers mois de combler ces lacunes, ce qui n'est pas toujours facile compte tenu de la rareté de certains spécialistes en dehors des grands centres. Les régions de la Prairie et du Pacifique ont tout de même réussi à en recruter quelques-uns. Par ailleurs, l'organisme vient de lancer une campagne intensive pour recruter du personnel infirmier bilingue.

Un autre problème persistant en Ontario et dans l'Ouest est la faible capacité bilingue des tribunaux disciplinaires qui jugent les détenus ayant commis des infractions aux règlements du Service. Étant donné la nature intimidante de cette activité, des efforts particuliers doivent être consentis pour augmenter le nombre de présidents pouvant entendre des cas dans l'une ou l'autre langue.

La région du Québec compte une bonne proportion d'employés bilingues (24 p. 100), mais quelque 175 postes ne requièrent toujours qu'une connaissance minimale de l'anglais ; il est inacceptable que le Service n'ait pas encore jugé bon de relever ces exigences linguistiques. D'autre part, malgré nos nombreuses observations à ce sujet, l'organisme tarde à sensibiliser son personnel à l'obligation d'offrir spontanément les services dans la langue des détenus. Ces derniers doivent très souvent insister pour obtenir des services dans leur langue. Seules les régions

de la Prairie et de l'Atlantique rappellent périodiquement à leur personnel ses obligations à cet égard.

Les efforts du Service correctionnel ayant porté principalement sur les services aux détenus, la situation en matière de langue de travail n'a guère changé, si ce n'est au Nouveau-Brunswick : pour favoriser l'usage du français, on y assure désormais les services du personnel dans les deux langues, et on a doté l'établissement de Dorchester d'un terminal relié au Bureau des traductions. À l'administration centrale, sauf pour quelques unités du secteur de l'Administration, le français a du mal à percer. Malgré nos demandes répétées et celles du Comité mixte, le Service n'a pas encore cru bon de changer le statut de quelque 50 postes de surveillants (sur 235) qui, contrairement aux exigences de la politique du gouvernement, ne requièrent toujours que l'anglais. Signalons cependant qu'on a exigé le bilinguisme au moment même du concours pour 6 des 11 postes supérieurs comblés au cours des 18 derniers mois.

La participation globale des deux groupes est demeurée inchangée : les anglophones demeurent sous-représentés, comptant pour les deux tiers des quelque 10 500 employés. L'équilibre est assez bon dans toutes les catégories d'emploi sauf dans celle du Soutien administratif, où les francophones sont surreprésentés (37 p. 100). Sur le plan régional, on note des déséquilibres inacceptables au Québec, où les anglophones forment moins de 1 p. 100 de l'effectif, ainsi qu'en Ontario, où l'on retrouve à peine 1,4 p. 100 d'employés francophones.

La gestion du programme s'est améliorée au cours de l'année. La haute direction a clairement rappelé aux administrations régionales et aux directeurs d'établissement la nécessité de se fixer des objectifs précis et surtout d'y donner suite. De nouvelles normes de service ont été établies pour la plupart des pénitenciers. Cependant, compte tenu du rattrapage qu'il a à faire, le Service consacre encore trop peu de ressources au contrôle de la mise en œuvre du programme : une dizaine de personnes seulement s'occupent de cette tâche dans tout l'organisme.

Le Service correctionnel du Canada a fait l'objet de 19 plaintes au cours de l'année, contre 25 en 1986. Seize d'entre elles concernaient les services aux détenus, et les trois autres avaient trait à la langue de travail.

Société canadienne des postes

En mars 1987, la Société canadienne des postes a publié un nouveau programme des langues officielles prévoyant la mise en place, en 1987-1988, de 62 mesures. Malheureusement, à la fin de l'année, on ne constatait guère de progrès sur le front linguistique. Il devient de plus en plus évident du reste, qu'aucune véritable amélioration du service au public ne sera possible tant qu'on n'aura pas signé, avec le Syndicat des postiers du Canada (SPC) une convention qui accorde la priorité à la capacité de communiquer dans la langue appropriée sur les droits

d'ancienneté. Quant aux problèmes de la langue de travail, on n'y a guère prêté attention avant la fin de l'année. Enfin, d'après les maigres données dont nous disposons, il n'y a pas grand-chose de nouveau du côté de la participation.

Depuis 1982, chacun de nos rapports a fait mention de la convention collective entre la Société des postes et le SPC. En 1982, nous avons noté que la direction, liée par cette convention, ne pouvait exiger que les candidats aux postes bilingues possèdent au moment de la nomination la compétence linguistique requise. En 1983, nous avons dit que, tant que la Société refuserait de s'attaquer à ce problème persistant, les mesures les mieux conçues pour améliorer le service dans la langue de la minorité resteraient lettre morte. En 1984, nous avons loué le plan d'action ambitieux de la Société, mais déploré que bon nombre de projets aient été contrecarrés par la convention collective. En 1985, nous étions heureux de souligner que la Société s'était entendue avec le SPC quant à la dotation des postes bilingues de préposés aux guichets, quoique l'obstacle des droits d'ancienneté fût toujours présent. (En fait, l'entente de 1985 n'a provoqué presque aucun changement. Les droits d'ancienneté conservaient la priorité, mais l'employé unilingue qui accédait à un poste bilingue était obligé d'apprendre l'autre langue et pouvait bénéficier d'une formation linguistique d'une durée maximale de six mois.) L'année dernière, nous avons émis l'opinion que seule une forte insistance sur les questions linguistiques lors des négociations avec les syndicats permettrait à la Société de mieux contrôler l'établissement des horaires de travail et l'affectation du personnel bilingue. Bref, même du point de vue le plus optimiste, il apparaît que les progrès sur ce plan ont été minimes depuis cinq ans.

Les conséquences d'une telle situation se manifestent partout. On trouvera à la partie II la saga de Dieppe, communauté du Nouveau-Brunswick qui n'a jamais pu compter sur un service bilingue, malgré ses 71 p. 100 de francophones. De même, en Ontario, un bureau de poste qui offrait un service dans les deux langues depuis des années a perdu complètement, en quelques semaines, sa capacité bilingue. Cette disparition subite a eu lieu à Kingston, qui n'avait aucune difficulté à communiquer avec sa clientèle de langue française depuis 1984. Mais à l'automne 1987, les deux préposés bilingues aux guichets se sont prévalus d'un droit, inscrit dans la convention collective, qui leur permettait d'obtenir un poste plus intéressant en vertu de leur ancienneté. Malheureusement, leurs remplaçants sont tous deux unilingues, et même s'ils suivent des cours de langue comme le veut l'accord de 1985, le rétablissement du service bilingue ne pourra se faire avant mai 1988.

À Vanier, en Ontario, où la population se divise à peu près également entre francophones et anglophones, il a fallu une recommandation officielle de notre part pour qu'on rappelle aux employés unilingues qu'ils doivent demander l'aide d'un collègue bilingue lorsqu'un client leur demande le service en français. On nous a signalé des problèmes semblables dans toutes les provinces ainsi qu'au Yukon.

Les difficultés de la Société sont aggravées par le fait que seulement 7 p. 100 (4 692) de ses employés occupent des postes bilingues. Qui plus est, on n'exige pour les postes de service au comptoir que la connaissance la plus élémentaire de l'autre langue : c'est-à-dire que l'employé est à peine capable de se débrouiller pour les opérations les plus simples. En décembre 1987, 956 titulaires de postes bilingues — soit 20 p. 100 — ne répondaient toujours pas aux exigences. Plusieurs d'entre eux travaillent à l'administration centrale, où un effarant 41,4 p. 100 des titulaires de postes bilingues n'ont pas la compétence requise. Dans la division Rideau, qui comprend des bureaux de poste du nord et de l'est de l'Ontario, un sixième des titulaires de postes bilingues (16,7 p. 100) ne répondent pas aux exigences ; dans la division York, constituée de la ville de Toronto et de ses environs, une poignée de postes — 20 sur un total de 12 960 — sont désignés bilingues, et neuf des titulaires ne possèdent pas les connaissances requises.

Nous avons formulé en 1987 deux autres recommandations officielles qui ont suscité des résultats divergents. Ainsi, on a nettement amélioré le système visuel permettant aux clients de repérer les guichets où ils peuvent obtenir un service bilingue. Par contre, on n'a toujours pas haussé le niveau de compétence linguistique exigé dans les bureaux ruraux où il n'y a qu'un seul employé, et ce en dépit des plaintes formulées à ce sujet au Nouveau-Brunswick, en Ontario et au Manitoba.

Des difficultés surgissent également dans le nouveau monde que constituent les franchises postales. Ainsi, on nous a assuré qu'une clause obligerait les concessionnaires desservant des localités bilingues à maintenir en tout temps une capacité bilingue. Nous nous demandons pourtant comment la Société s'y prendra pour contrôler l'application de cette clause après l'attribution des 500 franchises. Des six franchises maintenant exploitées, une seule est située dans un lieu bilingue, et lorsqu'elle a ouvert ses portes au centre ville d'Ottawa en décembre 1987, l'un de ses premiers gestes a été d'ajouter — en anglais seulement — son adresse et ses heures d'ouverture aux avis de livraison des colis et du courrier recommandé émis par la Société. Quand on sait combien la Société tient à la formule des franchises, il est à souhaiter que cet incident ne se révèle pas typique. Nous avons l'intention de suivre la situation de près.

Dans un geste qui augmentera vraisemblablement l'efficacité et la sécurité de ses employés, la Société a remplacé 1 100 affiches unilingues dans les grands centres de tri. L'augmentation de 867 à 987 du nombre des employés bilingues affectés aux services centraux et du personnel a également contribué à améliorer la situation du français au travail, puisque ces services, désormais, sont généralement offerts aux employés dans la langue de leur choix. À la fin d'octobre 1987, une directive sans équivoque enjoignait aux cadres supérieurs de l'administration centrale et des régions d'assumer leur obligation de créer et de maintenir un climat qui permettrait aux employés de travailler, dans la mesure du possible, dans leur propre langue. Bien entendu, il est trop tôt pour savoir si cette directive aura les effets souhaités.

Les chiffres de la Société elle-même indiquent qu'il n'y a pas assez de surveillants qui maîtrisent suffisamment la langue seconde (964 sur 1 192, ou 80,9 p. 100, répondent aux exigences de leurs postes bilingues). Certains employés ne peuvent obtenir leur évaluation de rendement dans leur propre langue, les réunions se tiennent presque toujours en anglais et les employés doivent trop souvent rédiger dans la langue du surveillant plutôt que dans la leur.

Bien que les instruments de travail soient habituellement offerts en français et en anglais — que les deux versions soient reliées ensemble ou non — nous avons reçu des plaintes soulignant que certains documents de travail provenant de Toronto étaient régulièrement distribués seulement en anglais au Québec, même à des titulaires de postes exigeant la connaissance du français. Ces plaintes sont en cours d'instruction : pour l'instant, il semble que c'était à la division québécoise qu'il revenait de faire traduire ces documents avant de les diffuser.

On n'a noté pratiquement aucun changement dans l'équilibre global de la participation, qui se traduit toujours par des taux satisfaisants de 26 p. 100 pour les francophones et 74 p. 100 pour les anglophones. Comme nous l'avons déjà souligné, cependant, les données sur le personnel de la Société ne permettent pas de suivre avec exactitude l'évolution de cette question. Il semblerait que les proportions soient demeurées à peu près les mêmes dans chaque région : à 2,5 p. 100, la participation anglophone au Québec se situe bien en-deça du seuil acceptable, et la participation francophone dans les trois divisions de l'Ouest reste à moins de 1 p. 100, ce qui est sensiblement moins que la proportion de francophones dans la population générale. C'est seulement dans la région de l'Atlantique, où la représentation des francophones a connu une très légère hausse pour atteindre 5,2 p. 100, qu'on a observé un certain mouvement de redressement des déséquilibres linguistiques qui existent depuis si longtemps à la Société. Celle-ci doit s'attaquer sans plus tarder à la compilation de données exactes, complètes et accessibles qui permettront à la direction de formuler un plan d'action à ce sujet.

Nos vérificateurs ainsi que ceux de la Société ont été unanimes à demander l'intégration des objectifs en matière de langues officielles à la planification de l'exploitation. Certains progrès ont été accomplis en 1987 et on prévoit que le processus sera achevé à la fin de l'année. Signalons notamment la création d'un Comité d'organisation des langues officielles dirigé par le président du Conseil d'administration, et auquel les cadres supérieurs doivent maintenant rendre compte à chaque trimestre de tous les aspects du programme.

L'incapacité de la Société à déployer son personnel bilingue aux points de service stratégiques se traduit par une avalanche de plaintes à notre bureau. Nous en avons reçu 237 cette année, dont 205 ont été retenues aux fins d'enquête. Nous avions reçu 128 plaintes en 1986, ce qui constituait déjà une hausse de 56 p. 100 par rapport à l'année précédente. Des 205 plaintes retenues, 187 touchaient le service au public, dont 95 le service au comptoir, 28 le service au téléphone et 26 l'affichage. En 1987, la Société a nommé un responsable à temps plein du

traitement des plaintes en matière de langues officielles et déjà en décembre, les solutions étaient beaucoup plus rapides. Dans les cas où les moyens d'action sont limités par les conventions collectives, cependant les plaignants ne verront aucun changement tant que le service bilingue n'aura pas la priorité sur les droits d'ancienneté.

Société canadienne d'hypothèques et de logement

La Société canadienne d'hypothèques et de logement (SCHL) a maintenu au cours de 1987 un service convenable au public, et elle s'emploie à corriger les déficiences qui subsistent à cet égard. Cependant, elle a encore du chemin à faire avant d'atteindre ses objectifs en matière de langue de travail et d'obtenir, particulièrement au Québec et dans l'Ouest, la pleine participation des deux groupes linguistiques.

La SCHL s'est engagée à assurer, dans tous les bureaux des régions bilingues, l'offre active au téléphone et en personne de services dans les deux langues. C'est à cette fin qu'elle donne actuellement une formation intensive aux réceptionnistes, qu'elle organise des rencontres avec les associations des minorités et qu'elle fait connaître par les médias de langue minoritaire l'existence d'un service bilingue. Nous nous inquiétions, en 1986, du nombre d'employés qui ne répondaient pas aux exigences de leur poste : celui-ci a connu en 1987 une baisse importante (de 326 à 275), et les postes bilingues qui exigent des connaissances linguistiques supérieures sont passés de 121 à 130.

Le transfert de la responsabilité des programmes de logement social aux gouvernements provinciaux a eu peu de conséquences néfastes pour le service ; cependant, vers la fin de l'année, on a constaté que certaines agences provinciales d'habitation négligeaient d'annoncer les projets conjoints dans la presse de langue minoritaire. La Société étudie actuellement la question.

Bien que la SCHL reconnaisse en principe l'égalité du français et de l'anglais comme langues de travail, en pratique le français n'a toujours pas pris pied au sein de l'organisme. Les surveillants et les gestionnaires sont encore trop nombreux à n'avoir pas la capacité — ou la volonté — de diriger les employés dans la langue appropriée, et les postes d'encadrement exigeant une connaissance supérieure de la langue seconde sont encore trop rares. Aux échelons supérieurs, en 1987, certains postes où le bilinguisme est dit « essentiel » ont été confiés à des personnes qui n'avaient pas la compétence linguistique nécessaire : il en résulte que les francophones reçoivent toujours des directives en anglais et se font encore évaluer dans cette langue. Enfin, si le français a bien droit de cité dans les réunions, on ne l'y entend pas souvent, sauf au Comité de la gestion où l'on affiche un bilinguisme exemplaire.

Dans notre rapport de vérification de 1986, nous avions demandé que l'on éclaircisse les obligations linguistiques des surveillants et que l'on demande aux gestionnaires de rendre davantage de comptes à ce sujet. La SCHL a accepté nos

recommandations : en 1988, l'évaluation des gestionnaires sera plus rigoureuse en ce domaine.

À 31,4 p. 100, le pourcentage des francophones parmi les cadres supérieurs est maintenant un peu trop élevé, mais il reste faible au sein de la haute direction (20 p. 100). Aux échelons inférieurs, les anglophones représentent maintenant 66 p. 100 de l'effectif. Les déséquilibres régionaux notés l'an dernier demeurent à peu près inchangés : les anglophones sont encore très mal représentés au Québec (2,5 p. 100), tandis qu'à l'ouest de l'Ontario, les francophones ne constituent que 1,5 p. 100 des employés.

Au nombre des améliorations apportées à la gestion du programme des langues officielles de la Société, on note une plus grande coopération entre les divisions de la vérification interne et des langues officielles, et un plus grand souci, à tous les échelons, d'intégrer les langues officielles à la planification des activités. Nous félicitons la Société du programme conçu pour la mise en œuvre de nos recommandations : les mesures, les responsabilités et les échéances précises qu'il comprend nous paraissent de bon augure pour 1988. La SCHL a également distribué à tous les employés un bulletin qui leur rappelle leurs obligations linguistiques et qui, en soulignant les déficiences mentionnées dans notre rapport de vérification, indique les correctifs que la Société se propose d'y apporter.

La SCHL a fait l'objet de 15 plaintes en 1987, deux de moins qu'en 1986. Quatre de ces plaintes provenaient de l'Ontario, autant du Québec et trois de l'Alberta ; les quatre autres provenaient de la Nouvelle-Écosse, du Nouveau-Brunswick, du Manitoba et de la Saskatchewan. Toutes faisaient état de lacunes dans le service au public ; dans sept cas, on reprochait aux agences provinciales d'habitation de ne pas annoncer les projets conjoints dans la presse minoritaire. Cette question était encore à l'étude à la fin de l'année.

Société du Crédit agricole*

Dans l'ensemble, la Société du Crédit agricole du Canada s'acquitte bien de ses obligations linguistiques envers sa nombreuse clientèle, répartie dans toutes les régions du pays. Sa politique établit clairement l'égalité du français et de l'anglais en milieu de travail, et l'administration du programme se porte assez bien.

Les dispositions visant à assurer l'offre active des services dans les deux langues officielles sont généralement adéquates ; cependant, la vérification linguistique que nous avons effectuée cette année a indiqué qu'elles n'étaient pas suivies systématiquement par l'ensemble du personnel. L'affichage et les publications sont bilingues, ce qui est certes louables, mais ce n'est pas suffisant pour que les clients de la Société se sentent à l'aise de transiger avec elle dans leur langue d'élection. Il serait utile d'indiquer les préférences linguistiques des clients sur leurs dossiers de façon à ce que les conseillers en financement des bureaux de district et de campagne puissent les respecter.

Par ailleurs, si les employés bilingues sont judicieusement répartis dans les régions où la demande de services bilingues est importante, il nous semble que les critères établis par l'organisme pour déterminer cette demande ne permettent pas de rejoindre tous les groupes de langue officielle minoritaire, et que la Société aurait intérêt à les redéfinir. De plus, en dehors de ces régions désignées bilingues, aucune mesure n'a été mise en place pour diriger les clients de langue minoritaire vers des conseillers en financement capables de les servir dans leur langue. Il faut aussi souligner que sur les 158 postes bilingues que compte la Société, seulement 98 sont occupés par des titulaires linguistiquement qualifiés. Notons cependant que tous ces postes exigent le niveau intermédiaire ou supérieur de connaissance de la langue seconde.

Au chapitre de la langue de travail, la Société du Crédit agricole éprouve les mêmes difficultés que bien d'autres organismes fédéraux. Malgré sa politique non équivoque à cet égard, le français n'occupe pas la place qui lui revient en milieu de travail, sauf au Québec. Le fait que, à l'administration centrale et dans certaines régions, certains membres de la haute direction ainsi que plusieurs surveillants n'aient pas une connaissance suffisante de leur langue seconde n'est certainement pas étranger à cette situation.

Lors de notre vérification linguistique, nous avons pu constater que certains services centraux n'étaient pas disponibles en français. D'autre part, les systèmes informatisés sont d'abord conçus en anglais : il est donc difficile d'en faire une adaptation française après coup. Pour le reste, les instruments de travail sont disponibles dans les deux langues, et les employés francophones de l'administration centrale peuvent obtenir leur évaluation de rendement dans leur langue d'élection. Les communications entre l'administration centrale et les bureaux régionaux se font généralement dans la langue appropriée.

Pour assurer une meilleure place au français, la Société devrait donc voir à ce que les surveillants aient une connaissance suffisante des deux langues officielles. De même, la haute direction devrait donner l'exemple en appliquant elle-même le principe du bilinguisme dans ses activités. Enfin, la Société devrait tenir compte des aspects linguistiques dans sa planification, notamment en ce qui a trait à la conception d'instruments de travail.

En 1987, la Société comptait 685 employés, dont 24,5 p. 100 (168) étaient francophones. Si cette participation globale est satisfaisante, on note par ailleurs certains déséquilibres sectoriels et régionaux. Ainsi, on ne retrouve aucun francophone en Colombie-Britannique et en Saskatchewan, et un seul anglophone parmi les 90 employés du Québec. À l'administration centrale, on ne compte que trois francophones parmi les quinze membres de la haute direction. Aux finances et aux opérations de prêts, les francophones sont également sous-représentés, soit à peine plus de 20 p. 100. La Société aurait avantage à adopter un plan de redressement en cette matière.

La réalisation d'un tel plan exigera cependant une gestion plus rigoureuse du programme des langues officielles, et surtout une volonté clairement exprimée par les dirigeants de la Société. Bien que les objectifs linguistiques soient adéquats et bien intégrés aux plans opérationnels, il serait souhaitable qu'on nomme un responsable à temps plein pour en contrôler la réalisation. La Société devrait également rappeler aux gestionnaires leurs obligations en cette matière.

Les deux plaintes que nous avons reçues cette année portaient sur l'absence de publicité dans la presse minoritaire. Elles ont été réglées à notre satisfaction.

Statistique Canada

Le programme des langues officielles a connu une bonne année à Statistique Canada en 1987. Doté d'une solide capacité bilingue, l'organisme est en mesure d'offrir un service dans les deux langues à peu près n'importe où au pays. Cependant, malgré une forte participation francophone, le français est très peu utilisé comme langue de travail, si l'on fait exception de quelques unités de la région de la Capitale nationale et des bureaux de Montréal et de Sturgeon Falls (Ontario).

Plus de la moitié des 4 567 employés de cet organisme occupent des postes bilingues et 85 p. 100 d'entre eux satisfont aux exigences prescrites. En conséquence, le service (en personne ou par écrit) est dispensé dans les deux langues ; l'affichage est bilingue ; et les communications destinées au grand public paraissent aussi dans la presse minoritaire. Par ailleurs, Statistique Canada tient des rencontres périodiques avec des groupes minoritaires afin de s'assurer que leurs besoins ne sont pas ignorés.

Si de sérieux problèmes demeurent sur le plan de la langue de travail, ce n'est pas faute d'efforts. Statistique Canada a créé un service de révision des textes afin d'encourager les employés à écrire en français, et lancé un programme qui vise à aider les francophones et les anglophones à travailler dans cette langue. Il a par ailleurs mis sur pied des ateliers où les participants ont été invités à discuter des problèmes que soulève l'emploi des langues officielles au travail, et fait en sorte qu'au moins une des questions à l'ordre du jour des réunions du Comité de gestion soit débattue en français. De plus, l'organisme s'est assuré que ses directives touchant la langue de travail soient respectées. Elles prévoient notamment que les communications avec les régions bilingues se fassent dans les deux langues ; que l'interprétation simultanée soit de rigueur lors des réunions plus importantes auxquelles participent les deux groupes linguistiques ; que tous les documents de travail soient établis dans les deux langues ; et que les services centraux et du personnel soient disponibles dans la langue d'élection de l'employé.

En dépit de toutes ces mesures, le français n'occupe pas vraiment la place qui lui revient en tant que langue de travail. Cela tient peut-être au fait que la plupart des logiciels utilisés à Statistique Canada sont en anglais. Quand on pense à l'importance des ordinateurs dans les activités de cet organisme, on ne s'étonne

pas de constater qu'un grand nombre de ses employés soient incapables de travailler en français. Il doit donc, dans tout la mesure du possible et dans les plus brefs délais, remplacer ses logiciels unilingues.

Mais le plus grand obstacle à l'utilisation des deux langues au travail tient au fait que les surveillants maîtrisent mal leur langue seconde. De surcroît, les exigences linguistiques attachées à ces postes (niveau intermédiaire) sont manifestement trop basses, surtout dans les domaines où le travail est complexe. Il serait vain d'espérer des progrès en matière de langue de travail tant que les surveillants n'amélioreront pas leur connaissance de leur deuxième langue officielle.

Les francophones occupent 36,8 p. 100 des 4 567 postes de Statistique Canada. Cette surreprésentation s'explique par leur très forte présence dans trois catégories : Administration et service extérieur (36,8 p. 100 de 816 employés), Technique (36,2 p. 100 de 790) et Soutien administratif (42 p. 100 de 1 979). Dans les catégories Gestion et Scientifiques et spécialistes, par contre, les chiffres sont relativement acceptables : 24,1 p. 100 de 83 postes et 26,1 p. 100 de 862, respectivement. Les anglophones sont sous-représentés au Québec, où ils ne comptent que pour 3 des 54 employés.

Le programme des langues officielles est fort bien administré, et la situation linguistique fait l'objet de vérifications périodiques. Il n'en reste pas moins qu'en matière de langue de travail, les progrès sont lents à venir. La division des langues officielles (qui relève du Service du personnel) fournit avis et conseils à la direction, et les cadres supérieurs sont tenus responsables de l'atteinte des objectifs dans leurs secteurs respectifs. Mais il faudra aussi que Statistique Canada s'assure que ses autres gestionnaires sachent clairement qu'ils ont des comptes à rendre à cet égard.

En 1987, nous avons reçu 30 plaintes contre Statistique Canada ; 12 concernaient le service au public et 18 la langue de travail. Bien qu'il s'agisse d'une augmentation considérable par rapport à l'an dernier, leur nature n'indique aucunement qu'il s'agit là de faiblesses systémiques majeures. De façon générale, la collaboration de l'organisme a aidé au règlement des plaintes.

Transports

Le ministère des Transports continue d'éprouver les mêmes difficultés que par le passé sur le plan linguistique, bien qu'il ait enregistré certains progrès cette année, notamment en ce qui a trait à l'affichage dans les aéroports. D'une manière générale, toutefois, la qualité linguistique des services au public ne s'est guère améliorée, tandis que les problèmes de langue de travail et de participation persistent. Le Ministère devra promouvoir activement son programme des langues officielles et lui accorder une plus grande priorité s'il compte un jour corriger la situation.

En matière de service au public, les faiblesses les plus évidentes du Ministère ont toujours été l'affichage et les services offerts par les concessionnaires dans les aéroports. Dans le premier cas, Transports Canada a entrepris cette année de corriger le problème dans les principaux aéroports en vérifiant de façon continue le caractère bilingue et la qualité linguistique des affiches. Le Ministère a produit à cet effet un lexique de l'affichage destiné à son Groupe de gestion des aéroports ; en outre, pour répondre aux besoins particuliers en matière de terminologie, il offre aux gestionnaires des aéroports un service de consultation téléphonique. Par contre, le Ministère n'a toujours pas résolu les problèmes liés à l'absence de services bilingues chez les concessionnaires des aéroports. Il devra trouver une façon d'imposer à ces derniers le respect de la clause linguistique contenue dans leurs baux respectifs.

Quant aux annonces de sécurité à bord des vols des compagnies aériennes survolant le territoire canadien, la situation est demeurée inchangée ; nous continuons de recevoir bon nombre de plaintes à ce sujet. Il est temps que le Ministère fasse en sorte que les normes de sécurité s'appliquent également aux voyageurs francophones et anglophones, en rendant obligatoires une fois pour toutes les annonces de sécurité bilingues à bord des avions.

Par ailleurs, nous sommes heureux de constater qu'on a entrepris la mise en œuvre du plan de bilinguisation des services de contrôle de la circulation aérienne à l'aéroport d'Ottawa : au début d'octobre, des services bilingues d'information de vol ont été mis en place dans la région de la Capitale nationale.

Des enquêtes périodiques à l'administration centrale du Ministère nous ont indiqué que l'accueil téléphonique y est fait dans les deux langues officielles dans 75 p. 100 des cas. Ces résultats sont certes encourageants, mais le fait qu'un client sur quatre ne puisse, dans la région de la Capitale nationale, obtenir spontanément un service dans sa langue officielle d'élection nous apparaît encore inacceptable. Le Ministère a donc du chemin à faire avant d'offrir, en tout temps, un service au public pleinement bilingue, et nous l'exhortons à agir rapidement en ce sens. Il devrait notamment rehausser les exigences linguistiques de ses postes bilingues : trop d'entre eux (536 sur 4 431) ne requièrent que le niveau inférieur de connaissance de la langue seconde.

Au chapitre de la langue de travail, les progrès sont imperceptibles, malgré certaines initiatives dignes de mention. Ainsi, en 1987, le Ministère a publié périodiquement, à l'intention des gestionnaires et des employés, un bulletin d'information traitant des diverses facettes du programme des langues officielles ; il a pris des mesures afin de s'assurer que les documents destinés au Québec comportent une version française de qualité ; et il a étudié sérieusement divers moyens d'accroître l'usage du français au travail. Tout cela est bien beau, mais les résultats se font attendre. En effet, il demeure très difficile pour un francophone à l'administration centrale de participer aux réunions et d'obtenir son évaluation de rendement dans sa langue officielle d'élection ; le français est sous-utilisé

dans toutes les régions bilingues, sauf au Québec et l'administration centrale ne communique que rarement dans les deux langues avec celles-ci. Les principaux manuels ainsi que les circulaires sont généralement disponibles dans les deux langues, mais il se produirait encore des accidents de parcours dans ce domaine. Enfin, la plupart des logiciels utilisés au Ministère sont unilingues anglais. Bref, il lui reste bien des questions à régler avant de donner un véritable élan à l'usage du français au travail.

La participation globale des deux groupes linguistiques est très semblable à ce qu'elle était en 1986 : mêmes points forts, mêmes faiblesses. Dans l'ensemble, les francophones sont légèrement sous-représentés (22,7 p. 100), tandis que la participation anglophone au Québec demeure insatisfaisante à 6,8 p. 100. On ne compte que 90 francophones sur un total de 6 758 employés dans les provinces de l'Ouest et à Terre-Neuve, et la présence francophone dans la catégorie Gestion n'est que de 16,9 p. 100 pour l'ensemble du Ministère.

La gestion du programme des langues officielles occupe une quinzaine de personnes à temps plein à l'administration centrale de Transports Canada, plus un coordonnateur à temps partiel dans chaque région pour les deux principales administrations, maritime et aérienne ; on trouve également un coordonnateur de la formation linguistique à Moncton. La plupart des coordonnateurs sont parfaitement bilingues, mais leurs postes n'exigent que le niveau intermédiaire de connaissance de la langue seconde. Par ailleurs, les objectifs en matière de langues officielles ont été intégrés aux plans opérationnels, et les cadres supérieurs en sont tenus responsables. Le Ministère se livre en outre à divers sondages et vérifications pour l'aider à poursuivre son cheminement vers une égalité de statut du français et de l'anglais. Le programme souffre cependant d'un manque de visibilité : il arrive fréquemment que des gestionnaires intermédiaires se lancent dans des projets ayant des implications linguistiques sans consulter les responsables des langues officielles.

Des 84 plaintes reçues contre Transports Canada (43 de plus qu'en 1986), 74 concernaient la langue de service : 22 avaient trait aux services offerts par les transporteurs aériens, 13 concernaient l'absence d'annonces dans la presse minoritaire, 12 étaient liées à l'affichage et les autres traitaient de divers autres aspects de la langue de service. Nous avons également reçu neuf plaintes touchant la langue de travail et une, la participation équitable.

Travail*

Les progrès au ministère du Travail n'ont pas été en 1987 aussi importants qu'ils auraient pu l'être. D'après le suivi que nous avons effectué récemment, 4 des 14 recommandations de notre rapport de vérification de 1985 ont été mises en œuvre de façon intégrale, alors que trois autres l'ont été partiellement. Les difficultés persistent dans tous les domaines du programme des langues officielles.

Si l'on s'en tient aux chiffres, le Ministère compte suffisamment d'employés bilingues (416 sur 875) pour offrir à sa clientèle des services dans les deux langues officielles partout où la demande existe. En réalité, il en va autrement. Les employés bilingues se retrouvent surtout à Montréal, à Moncton et dans la région de la Capitale nationale. La qualité du service laisse à désirer à Toronto et à Winnipeg : dans ces bureaux, pas un seul poste n'exige une compétence supérieure en français. À l'heure actuelle, le Ministère se dispose à améliorer la situation ; on prévoit ainsi que tous les points de service bilingues compteront, à l'avenir, au moins un employé bilingue. On fera également inscrire dans les annuaires téléphoniques un numéro distinct où il sera possible d'obtenir un service en français. Nous allons suivre la situation de près afin de nous assurer que ces bonnes intentions portent fruit.

Dans notre rapport de 1985, nous avons conseillé au Ministère de mener une enquête afin de cerner les obstacles à l'essor du français comme langue de travail. Cela n'a pas été fait, et certains des problèmes les plus graves révélés par notre vérification de 1985 n'ont pas reçu l'attention qu'ils méritaient. Par exemple, un certain nombre de documents de référence ne sont toujours disponibles qu'en anglais, les réunions ne se tiennent pas de façon habituelle dans les deux langues, plusieurs francophones sont toujours encadrés en anglais seulement et certains des services centraux (Finance, Traitement des données et Sécurité) n'offrent pas systématiquement des services bilingues aux autres secteurs. Par contre, les services du personnel sont disponibles dans les deux langues, et le Ministère s'emploie à augmenter le nombre de surveillants bilingues : les postes vacants sont comblés par des employés bilingues et le nombre de postes de surveillance exigeant des connaissances linguistiques de niveau supérieur est maintenant de 21 sur 189, comparativement à 10 il y a trois ans. Les surveillants qui ont besoin d'une formation linguistique font l'objet d'un traitement prioritaire. Enfin, le Ministère a amélioré le bilinguisme de ses systèmes informatiques.

La participation globale des francophones (33 p. 100) est plus élevée qu'elle ne devrait l'être. Les francophones sont en surnombre dans la catégorie Soutien administratif (136 des 319 employés, ou 42,6 p. 100), en nombre acceptable dans la catégorie Scientifiques et spécialistes (17 sur 69, ou 24,6 p. 100), et trop peu nombreux en Gestion (7 sur 38, ou 18,4 p. 100). Les anglophones représentent seulement 1,3 p. 100 du personnel au Québec. Le Ministère devra prendre des mesures énergiques pour corriger ces écarts.

En ce qui a trait à la gestion du programme des langues officielles, le Ministère n'a toujours pas mis en place un système de contrôle efficace dans les directions ou les régions, et les langues officielles ne figurent pas parmi les critères de la Direction de la vérification interne. Le conseiller aux langues officielles n'a aucun personnel de soutien et n'a pas les moyens d'exercer des activités régulières de contrôle ou d'assistance. Le Ministère devrait étudier sérieusement cet aspect important de son programme.

Le Ministère a fait l'objet de cinq plaintes en 1987, dont deux portaient sur l'accueil téléphonique et l'une sur l'unilinguisme anglais de directives en cas d'incendie ; une autre avait trait à une circulaire unilingue anglaise envoyée à un client, et la dernière touchait les services reliés à la santé et la sécurité au travail. Ces plaintes n'ont pas encore été réglées.

Vérificateur général

Le Bureau du Vérificateur général a marqué des points sur le plan linguistique en 1987. Il a notamment adopté un plan exhaustif en cette matière, et s'est engagé à prendre des mesures pour améliorer les services offerts à ses ministères clients. Par contre, le français n'occupe toujours pas la place qui lui revient comme langue de travail, en raison du nombre encore trop élevé de surveillants unilingues. La participation des deux groupes linguistiques est assez bien équilibrée malgré certaines faiblesses sectorielles.

Le Bureau a tenu compte de nos recommandations touchant l'offre active de services bilingues aux gestionnaires dans le cadre des vérifications. Il prévoit désigner trois ou quatre équipes qui offriront ce service à titre d'essai. Dans les provinces de l'Atlantique, il déterminera les vérifications exigeant du personnel bilingue, et celles-ci seront menées conjointement par les bureaux de Halifax et de Montréal. Le Bureau a également accepté, toujours à titre d'essai, de traduire un rapport de vérification préliminaire en vue d'évaluer la pertinence de le faire sur une plus grande échelle.

Le Bureau du Vérificateur général a augmenté le nombre de ses postes bilingues et a revu à la hausse les exigences linguistiques de plusieurs d'entre eux. Ainsi, 433 postes sur 613 (soit 70,6 p. 100 contre 60 p. 100 en 1986) exigent maintenant la connaissance des deux langues ; en contrepartie, le pourcentage de titulaires linguistiquement qualifiés est tombé de 93 à 80 p. 100. Mentionnons cependant que plusieurs des employés ne satisfaisant pas aux exigences de leur poste suivent actuellement des cours de langue.

Il y a eu progrès cette année sur le plan de la langue de travail : 41 des 47 cours de formation professionnelle ont été offerts dans les deux langues, et le Bureau a rehaussé d'intermédiaire à supérieur le niveau de connaissances linguistiques requis pour une quinzaine de postes de la Gestion. D'autre part, pour favoriser un usage accru du français, il a recours au concept d'« unités travaillant en français » ; il veille à ce que l'on communique avec elles dans cette langue, et organise des stages dans des équipes travaillant en anglais afin d'aider les vérificateurs de ces unités à parfaire leur connaissance de l'autre langue. Par ailleurs, la plupart des logiciels et des manuels, ainsi que les circulaires émises par la Gestion, existent dans les deux langues, sauf le manuel interne de la Vérification informatique qu'on prévoit traduire en 1988. Sur le plan de l'encadrement, la situation n'a guère changé : 30 p. 100 des surveillants ne satisfont pas aux exigences linguistiques de leur poste ; toutefois un certain nombre d'entre eux suivent des cours de formation linguistique. À la division de la vérification,

34 des 162 postes de surveillance n'exigent toujours que l'anglais. Il n'est donc pas surprenant que le français ait de la difficulté à se tailler une place en dehors des unités travaillant en français. Il arrive même que le bureau de Montréal reçoive de l'administration centrale des mandats de vérification en anglais, et rien n'a été fait pour régler ce problème.

La participation globale des deux groupes linguistiques s'est maintenue aux mêmes taux que l'an dernier : les anglophones, légèrement sous-représentés, forment les deux tiers des 613 employés. Malgré une légère hausse par rapport à l'an dernier (18,2 contre 17 p. 100), les francophones continuent quant à eux d'être sous-représentés dans la catégorie Gestion. Le Bureau s'est engagé à maintenir à au moins 30 p. 100 la proportion de francophones dans les divers groupes de vérification où se recrutent les candidats aux postes de la catégorie Gestion. Quant aux anglophones, ils sont sous-représentés dans la catégorie Technique et Soutien administratif avec 48,3 p. 100 des postes ; le Bureau entend suivre de près la situation.

Grâce à un plan d'action bien structuré — qui prévoit notamment le dépôt d'un rapport semestriel au Conseil de direction —, le Bureau pourra dorénavant assurer une meilleure gestion de son programme des langues officielles. En outre, on prévoit évaluer la performance des gestionnaires par rapport à leurs objectifs en cette matière.

Nous n'avons reçu aucune plainte à l'endroit du Bureau en 1987.

Via Rail

Via Rail Canada inc. a franchi une étape importante cette année : le déblocage tant attendu au chapitre des conventions collectives s'est enfin produit. La Société a par ailleurs poursuivi la réalisation de ses programmes de langues officielles.

Le 13 août 1987, Via Rail a enfin conclu une entente avec la Fraternité canadienne des cheminots, employés des transports et autres ouvriers : elle pourra désormais affecter des préposés bilingues aux postes qui exigent un contact avec le public, soit dans les gares, aux bureaux de vente par téléphone et au service de la restauration. En vertu des dispositions linguistiques de la convention collective, la Société déterminera, de concert avec les représentants de la Fraternité, les postes qui seront comblés par des employés bilingues aussitôt qu'ils deviendront vacants. Ces nouvelles mesures laissent présager une amélioration importante des services bilingues à bord des trains, et ce dans un avenir rapproché puisque les postes associés à la restauration sont ouverts et dotés au moins une fois par année.

Certaines contraintes demeurent néanmoins quant à l'affectation de préposés bilingues au contrôle des billets et aux annonces à bord des trains. En effet, la Société a intégré cette année à son effectif les employés du CN qui occupaient les postes de chef de train et de serre-freins. Or la convention collective de ces derniers présente toujours des clauses restrictives touchant l'attribution des postes. En outre, sur plusieurs trajets, les agents de train relèvent encore du CP.

Pour l'instant, il n'y a donc qu'au Québec et dans la région de la Capitale nationale que les passagers peuvent généralement s'attendre à un service de qualité comparable en français et en anglais. Nous osons croire que les nouvelles mesures adoptées par Via Rail (notamment au chapitre des conventions collectives) lui permettront d'assurer à l'avenir un service bilingue partout où une demande importante se manifeste.

Comme par le passé, Via Rail s'est bien acquittée de ses obligations linguistiques en ce qui touche les documents destinés au public, l'affichage et la correspondance. Aux centres de renseignements et de réservations téléphoniques, l'accueil et la prestation des services se font dans les deux langues officielles.

En matière de langue de travail, la Société conserve également ses bonnes habitudes : les circulaires, les formulaires, les manuels, les cours internes de formation et les systèmes informatisés regroupant plusieurs utilisateurs sont généralement disponibles dans les deux langues. Via Rail a également jeté les bases d'un programme de sensibilisation à l'intention des cadres et des employés afin de promouvoir une plus grande utilisation du français au travail (réunions, rédaction, discussion, évaluation du rendement, etc.), tant au siège social, situé à Montréal, qu'à Via Atlantique. Mentionnons que le français est déjà la langue de travail principale à Via Québec.

Via Rail regroupe 5 493 employés — en excluant les agents de trains venus du CN — dont 2 043 sont francophones (37,2 p. 100). Cette hausse d'un peu plus de 4 p. 100 par rapport à l'an dernier s'explique par le transfert à Via Rail des employés des ateliers du CN, dont 592 sont francophones.

Dans l'ensemble, la participation des deux groupes linguistiques est acceptable dans la plupart des catégories d'emploi, compte tenu du fait qu'à l'exception des préposés syndiqués, la grande majorité de l'effectif se retrouve au Québec, soit au siège social, soit à Via Québec. En effet, 25 p. 100 des membres de la haute direction, 32,7 p. 100 des cadres supérieurs, 41,8 p. 100 des cadres intermédiaires, 51,2 p. 100 du personnel du soutien administratif et 27,8 p. 100 des préposés syndiqués en contact avec le public sont francophones. Notons cependant qu'il n'y a aucun francophone parmi les dix cadres supérieurs de Via Atlantique, et seulement trois parmi les 98 cadres de Via Ontario.

Sur le plan régional, on compte 41 francophones à Via Ouest (3,9 p. 100), 134 à Via Atlantique (31,3 p. 100) et seulement 62 à Via Ontario (4,5 p. 100). Au Québec (à Via Québec et au siège social), la Société emploie 839 anglophones, qui représentent 31,7 p. 100 de l'effectif.

En ce qui touche la gestion du programme, rappelons que les objectifs en matière de langues officielles sont intégrés aux plans opérationnels. Via Rail exige de ses cadres et de ses surveillants qu'ils effectuent des vérifications régulières de la prestation des services (incluant l'aspect linguistique) dans les gares et à bord des trains.

Nous avons reçu 38 plaintes cette année contre Via Rail, comparativement à 36 l'an dernier. La plupart d'entre elles concernaient l'absence de service en français : 19 dans les gares et huit à bord des trains, dont deux sur le trajet Montréal-Toronto.

Une bonne collaboration de la part de la Société nous a permis de régler rapidement les plaintes touchant des questions matérielles ; quant à celles reliées au service en personne à bord des trains et dans les gares, elles demandent des solutions à plus longue échéance.

PARTIE IV

Les minorités : le temps presse

La chronique minoritaire : avant qu'il soit trop tard

En empruntant les termes de la nouvelle Loi sur les langues officielles *(projet de loi C-72), on peut dire que ce chapitre examine les mesures visant à « favoriser l'épanouissement des minorités francophones et anglophones du Canada ». Dans un premier temps, nous traitons des dossiers clés intéressant les minorités nationales : le dépôt du projet de loi C-72 à la Chambre des communes, l'entente du lac Meech, les réalisations des associations des minorités sur la scène nationale et les interventions du Commissaire aux langues officielles. Ensuite, pour chaque province, nous présentons un bref survol des principaux dossiers dans le domaine de la loi, de l'enseignement, des institutions et de la vie communautaire, ainsi qu'un exposé des événements de l'année dans le secteur de la télédiffusion dans la langue minoritaire. Les grandes questions de démographie linguistique et les jugements d'intérêt national sont analysés à la partie I. Enfin, le lecteur trouvera à la partie V des renseignements sur l'enseignement de la langue seconde et l'enseignement postsecondaire.*

L'année 1987 a été marquée par plusieurs événements politiques qui risquent de changer la vie des minorités de langue officielle du Canada. Sur la scène internationale, on a reconnu officiellement, au Sommet de la francophonie qui a eu lieu à Québec, l'importance des communautés francophones hors du Québec. L'entente du lac Meech et le projet de loi C-72 réitèrent l'engagement de respecter, sur le plan juridique et pratique, cette « caractéristique fondamentale » du Canada qu'est la dualité linguistique. Mais si les garanties linguistiques et culturelles offertes par la Constitution et le projet de loi constituent en quelque sorte l'armature de l'ouvrage, c'est l'interprétation qui déterminera, après l'adoption de la Loi, leurs véritables conséquences pour les minorités. En attendant, il s'agit de savoir si les minorités de langue officielle se portent mieux en 1987 qu'il y a quelques années ; nous ne pouvons répondre que par un paradoxe en disant que leur état s'est à la fois amélioré et aggravé. L'amélioration tient au fait que l'infrastructure constitutionnelle, juridique et administrative est beaucoup plus étendue. De plus, l'organisation des groupes minoritaires s'est grandement améliorée au cours des dix dernières années et, dans l'ensemble, l'attitude de la majorité leur est nettement plus favorable. Malheureusement, les minorités ont perdu du terrain

à d'autres points de vue : les données démographiques des recensements successifs confirment l'érosion inexorable de leur communauté (voir la partie I).

Le projet de loi C-72

Lors de la conférence de presse annonçant les grandes lignes du projet de refonte de la *Loi sur les langues officielles*, le ministre de la Justice, l'honorable Ray Hnatyshyn, a affirmé que le projet de loi C-72 constituait « un cadre global, équitable et moderne à la politique nationale des langues officielles du Canada ». Le dépôt de ce projet de loi tant attendu ne pouvait se faire à un meilleur moment. En effet, les premiers ministres venaient tout juste de conclure l'entente du lac Meech, selon laquelle les assemblées législatives des provinces doivent protéger (dans le texte anglais « *preserve* ») les droits des minorités de langue officielle. Rien d'étonnant à ce que ces minorités aient cru qu'on leur présentait enfin la relance de la réforme linguistique qu'elles attendent comme nous depuis si longtemps. On comprendra également leur sentiment de frustration devant la lenteur du Parlement à adopter le projet de loi.

L'engagement fédéral à favoriser l'épanouissement des minorités s'exprime, dans le préambule du projet de loi C-72, par une nette insistance sur la promotion qui fait défaut à l'entente du lac Meech. Ce préambule affirme clairement, en effet, que le gouvernement fédéral doit montrer la voie en ce qui concerne la reconnaissance des droits linguistiques des communautés minoritaires partout au Canada — notamment en matière d'enseignement, de justice, de services gouvernementaux et d'autres services — et, dans la mesure de ses moyens, en ce qui concerne la concrétisation de cette reconnaissance.

Le droit à l'enseignement

C'est dans le secteur de l'éducation que le besoin d'action est le plus manifeste. Privées d'un enseignement dans leur langue, les communautés minoritaires risquent de s'effondrer et les parents devront renoncer à transmettre leur patrimoine linguistique et culturel à leurs enfants. En garantissant, par la signature de la *Charte canadienne des droits et libertés*, le droit des minorités de bénéficier d'un enseignement dans leur langue et de participer à la gestion de leurs écoles, là où le nombre le justifie, les provinces n'étaient pas sans savoir qu'elles posaient un geste novateur. Pourtant, six ans plus tard, les parents et les associations de groupes minoritaires dans plusieurs provinces sont toujours devant les tribunaux dans l'espoir d'obtenir des droits que la majorité tient pour acquis. Il y a là de quoi être gêné autant qu'inquiété.

Malgré les modestes progrès réalisés en 1987 dans certaines provinces, l'imagination, la volonté et le zèle ont fait étrangement défaut lorsqu'il s'est agi de répondre aux besoins des minorités en matière d'enseignement. On n'a guère consacré d'efforts à la recherche de solutions concrètes en ce domaine. Sauf au Nouveau-Brunswick et, dans une moindre mesure, en Ontario, les écoles où l'on ne dispense l'enseignement qu'en français sont rares, et les conseils scolaires de langue française rarissimes. Au Québec, les anglophones parviennent de plus en plus difficilement à inscrire leurs enfants dans des écoles qui soient vraiment aux mains de la minorité. Heureusement, le gouvernement du Québec s'est engagé

à poursuivre ses efforts en vue de remplacer les commissions scolaires confessionnelles par des commissions linguistiques, ce qui devrait améliorer la situation.

Certains parents se sont adressés aux tribunaux pour obliger les conseils scolaires et les gouvernements provinciaux à fournir à leurs enfants un enseignement dans leur langue maternelle. (On trouvera plus loin dans ce chapitre, ainsi que dans la partie I, la description de plusieurs de ces causes.) À cet égard, le Conseil canadien sur le développement social a rendu un important service en administrant les fonds du Programme fédéral d'aide à la contestation judiciaire. Le Conseil, en effet, a soutenu les causes touchant les écoles de la minorité. Dans un rapport à ce sujet, un comité du Conseil, présidé par le Dr Victor Goldbloom, soutient qu'il faut interpréter au sens large l'article 23 de la Charte portant sur le droit à l'enseignement dans la langue de la minorité. Le rapport s'oppose à ce que l'on fixe de façon arbitraire un nombre minimum d'enfants devant justifier, dans tous les cas, la création d'une école de langue minoritaire au lieu de tenir compte des particularités de chaque situation.

De concert avec les groupes minoritaires, le Commissariat s'emploie à rassembler les données qui aideraient les parents et les autorités provinciales à sortir de l'impasse pour créer, conformément à la Charte, un enseignement viable dans la langue de la minorité. Lors d'un colloque national sur la mise en œuvre de l'article 23, tenu en novembre, la Commission nationale des parents francophones a fait le point sur la recherche en matière de gestion des écoles françaises par les francophones hors du Québec. On note ainsi que dans bon nombre de provinces, il existe plusieurs écoles primaires et secondaires de langue anglaise ayant moins de 30 élèves. Pourtant, lorsqu'il s'agissait d'enfants francophones, il arrivait souvent qu'on juge insuffisant, pour créer une école, un nombre supérieur à 30. Nous espérons que les groupes minoritaires à travers le pays pourront bientôt entreprendre des discussions avec les conseils scolaires et les autorités provinciales afin d'élaborer des plans réalistes qui assureront le respect intégral de l'article 23 de la Charte.

L'année dernière, le Secrétariat d'État a accordé près de 128 millions de dollars à l'enseignement en langue minoritaire. Les ententes fédérales-provinciales visant la promotion des langues officielles dans l'enseignement prennent fin en mars 1988, et leur renégociation devrait permettre au gouvernement fédéral de donner à l'application de l'article 23 un élan administratif dont il a grand besoin. Mais si le Secrétariat d'État ne parvient pas à trouver des crédits supplémentaires pour améliorer l'infrastructure et persuader les provinces de s'entendre sur les priorités en matière d'enseignement en langue minoritaire, il sera responsable dans une large mesure des déconvenues que nous pourrons subir dans notre poursuite d'un grand objectif national.

Les progrès accomplis

Si l'enseignement en langue minoritaire joue un rôle capital dans la survie des minorités, il n'en est pas pour autant la seule composante. Le traitement que

réservent à la langue minoritaire les autres organismes locaux, ainsi que la collectivité en général, compte également pour beaucoup, notamment au chapitre de la motivation. Or des progrès notables ont été accomplis à cet égard, et l'avenir s'annonce prometteur. Nous aborderons certains de ces changements dans la rubrique consacrée à chaque province. Nous nous contenterons ici de citer les plus intéressants.

- L'attitude du public envers les minorités, et notamment celle de gens qui influencent l'opinion, a connu une évolution importante. Nous avons été frappés par le ton favorable des éditoriaux sur la question linguistique suscités par l'affaire Piquette en Alberta et par les élections provinciales qui ont eu lieu en Ontario et au Nouveau-Brunswick. S'il y a eu quelques voix discordantes, ces réactions, venant s'ajouter aux résultats des sondages d'opinion, nous portent à croire que l'appui est de plus en plus important non seulement en ce qui concerne les services en langue minoritaire fournis par les autorités fédérales, provinciales et municipales, mais aussi par les secteurs privé et volontaire.

- Les autorités provinciales se montrent plus disposées à trouver des solutions pratiques aux problèmes de l'enseignement en langue minoritaire. S'il s'est parfois agi de proposer quelques modestes amendements aux lois existantes, il y a également eu quelques efforts concertés en vue de créer de nouvelles classes et de nouvelles écoles. Citons, parmi les gestes les plus encourageants, la construction de quelques édifices servant à la fois d'écoles et de centres communautaires, qui offrent aux activités sociales et culturelles de la minorité le cadre dont elles ont besoin.

- Les autorités provinciales sont de plus en plus sensibles à la nécessité d'offrir leurs services en langue minoritaire. La *Loi sur les services en français* de l'Ontario et le projet de loi 142 visant la prestation de services sociaux et de santé en anglais au Québec demeurent les exemples les mieux connus, mais d'heureuses initiatives ont également été prises à l'Île-du-Prince-Édouard, en Nouvelle-Écosse et au Manitoba.

- La partie XIV(1) du *Code criminel*, qui donne le droit à un accusé de comparaître devant un juge et un jury qui parlent sa langue, a été adoptée cette année en Saskatchewan, en Nouvelle-Écosse et à l'Île-du-Prince-Édouard, et il y a lieu d'espérer que l'Alberta leur emboîtera bientôt le pas. La partie XIV(1) est maintenant en vigueur dans sept provinces canadiennes.

Nous espérons ne pas nous tromper en affirmant que l'attitude envers les minorités a connu un changement important, et que l'on souhaite vivement, en ce moment, améliorer leurs conditions. C'est au gouvernement fédéral qu'il incombe maintenant d'agir de concert avec les provinces et le secteur privé, afin d'échafauder sur ce fondement une politique cohérente en matière de langues officielles qui garantira non seulement la pleine reconnaissance des droits constitutionnels, mais aussi l'épanouissement culturel des minorités et la prestation

d'une gamme de services dans leur langue, leur assurant ainsi la possibilité de préserver et de transmettre leur héritage linguistique.

Les ententes fédérales-provinciales

Nous nous réjouissons de ce que le gouvernement du Canada ait conclu pour la première fois, cette année, une entente avec une province en matière de langues officielles. L'accord avec le Nouveau-Brunswick a pour objet de « favoriser la progression vers l'égalité de statut et l'utilisation des deux langues officielles au Nouveau-Brunswick en établissant un cadre et une marche à suivre pour la coopération ... en matière de consultation, de coordination et de planification conjointe ainsi que pour la définition et l'exécution des mesures à prendre à cette fin ». Cette initiative marque une étape dans la collaboration fédérale-provinciale et devrait contribuer à l'accélération de la réforme linguistique.

Soulignons également la décision du Secrétariat d'État d'accorder 5,6 millions de dollars sur une période de cinq ans au développement des stations de radio communautaires francophones hors du Québec. (Le lecteur trouvera des détails sur cette initiative au chapitre suivant.)

La FFHQ

La Fédération des Francophones hors Québec (FFHQ) avait du pain sur la planche en 1987. Au moment de sa nomination au mois de janvier, le nouveau président de l'association — Yvon Fontaine, doyen de l'École de droit de l'Université de Moncton — a formulé quatre objectifs clés : l'adoption d'une nouvelle *Loi sur les langues officielles* ; l'aboutissement des négociations constitutionnelles entre Québec, Ottawa et les autres provinces ; la participation au Sommet de la francophonie à Québec ; et le renforcement des liens de la Fédération avec ses associations provinciales membres.

La FFHQ a insisté sur le besoin d'assurer la primauté de la nouvelle loi en matière de langues officielles sur les autres lois, et d'amener le gouvernement fédéral à réitérer son engagement à protéger le patrimoine linguistique et culturel des minorités de langue officielle. De nombreux membres de la FFHQ ont été heureux de constater que le législateur avait tenu compte de leurs suggestions dans la rédaction du projet de loi C-72 ; on a cependant regretté que la refonte ne renforce pas davantage les pouvoirs de la Loi. La FFHQ déplore également que la nouvelle législation ne se montre pas coercitive envers le secteur privé, et elle s'interroge sur les modalités de traduction des ententes fédérales-provinciales. De plus, elle souhaite que l'on éclaircisse le sens que prendra dans les règlements la « demande importante » et l'« offre active » de service en langue minoritaire. Toutefois, la Fédération sera consultée à cet égard avant l'adoption définitive des règlements.

La FFHQ s'est montrée nettement plus acerbe à l'endroit de l'accord constitutionnel du lac Meech. Les dispositions de l'accord qui confèrent au Parlement et aux assemblées législatives le devoir de « protéger » les francophones hors du Québec et les Québécois d'expression anglaise, parce qu'ils constituent une « caractéristique fondamentale » du Canada, lui paraissent assez chétives. La Fédération estime que l'accord est en fait une entente entre le Québec et le Canada,

une réconciliation des majorités, et non des minorités, n'assurant guère la protection des francophones hors du Québec — et elle a réitéré cette argumentation devant le Comité mixte spécial de l'entente constitutionnelle de 1987.

En juin, la Fédération a tenu à Québec, pour la première fois, son congrès annuel. Cette rencontre s'inscrivait dans le cadre du X[e] Rassemblement des francophones d'Amérique et témoignait de la solidarité unissant la FFHQ à l'ensemble de la francophonie, solidarité qui s'est trouvée renforcée en septembre par le Sommet de Québec.

Alliance Québec

Tout en poursuivant son entreprise bien établie de défense des droits et des institutions des anglophones, Alliance Québec s'est penchée sur un certain nombre de questions liées à l'entente du lac Meech et au projet de loi C-72. Dans un mémoire soumis au Comité mixte sur l'accord constitutionnel, l'association a exprimé l'inquiétude que lui inspire la reconnaissance du Québec comme « société distincte », demandant si la promotion de ce caractère distinct au profit d'une majorité francophone n'allait pas entraîner le gouvernement du Québec à passer outre aux droits fondamentaux des Québécois d'expression anglaise. L'association s'est dit convaincue que « la langue française, et tout ce qui distingue le Québec, peut être protégé et promu sans nier les droits individuels ». Lors de sa comparution devant le Comité sénatorial chargé d'examiner l'accord constitutionnel, Alliance Québec a déclaré qu'elle ne cherchait pas à compromettre l'entente, mais uniquement à l'améliorer. D'après elle, les restrictions que pourrait imposer l'entente aux droits et libertés accordés par la *Charte canadienne des droits et libertés* sont au cœur du débat constitutionnel. Ainsi, l'association demande que l'accord reconnaisse ouvertement les droits des Québécois d'expression anglaise.

Le projet de loi C-72 a obtenu les éloges et l'appui d'Alliance Québec. Le nouveau président de l'association, Royal Orr, a affirmé que le texte reposait sur une vision du Canada qui reconnaît la dualité linguistique et la présence historique des minorités francophones et anglophone à l'échelle du pays. Cependant, l'association aurait souhaité qu'on garantisse mieux la prestation de services en langue minoritaire. D'autre part, fidèle à son habitude de se porter à la défense des minorités francophones, elle a adressé au sujet de l'affaire Piquette une lettre ouverte au premier ministre de l'Alberta, l'exhortant à prendre les mesures qui s'imposent pour permettre le libre emploi du français à l'Assemblée législative.

La Canadian Parents for French

La Canadian Parents for French (CPF) lutte depuis longtemps pour la reconnaissance du droit des francophones hors du Québec à recevoir un enseignement dans leur langue. Lors de sa comparution devant le Comité mixte sur l'accord constitutionnel, Susan Purdy, présidente de la CPF, a fait valoir que « la plupart des provinces anglophones comptent trop peu d'écoles où les jeunes francophones peuvent s'instruire dans leur langue maternelle. Dans certaines localités, les francophones doivent se contenter de quelques locaux dans les écoles anglaises — situation qui est, tout compte fait, inacceptable, pour des raisons pédagogiques tant pour les francophones que pour les anglophones. » La

CPF a également recommandé que l'accord exige davantage des provinces que la simple « protection » de la dualité linguistique du pays. Elle a exprimé le souhait de voir un jour « tous les jeunes Canadiens devenir bilingues et capables d'utiliser le français et l'anglais selon leur gré, ou de se sentir aussi à l'aise qu'ils le souhaitent dans l'emploi de l'autre langue officielle ». Les groupes locaux de la CPF continuent de collaborer avec les associations francophones hors du Québec à la réalisation de ces objectifs.

L'action du Commissaire

Comme le veut une coutume fort heureuse, le Commissaire aux langues officielles s'est déplacé afin de rencontrer des personnages influents, des personnalités politiques, des enseignants et des membres de minorités linguistiques à travers le pays. En 1987, il s'est rendu dans neuf provinces. Ces visites avaient pour objet notamment de témoigner son appui aux minorités en quête d'une reconnaissance de leurs droits par le gouvernement provincial, d'échanger avec les premiers ministres et les hauts fonctionnaires sur les progrès accomplis en ce domaine ainsi que dans l'enseignement dans la langue de la minorité et l'enseignement de la langue seconde. Ces déplacements lui permettent aussi de s'entretenir avec les gestionnaires fédéraux de la meilleure façon d'assurer les services dans les deux langues, d'informer les comités de rédaction et de répondre aux questions des journalistes et du grand public sur la réforme du régime linguistique. Enfin, le Commissaire vient étayer par ces communications directes le travail indispensable accompli chaque jour par le personnel des bureaux régionaux. Le Commissaire a été heureux d'annoncer cette année la nomination de six agents de liaison à temps partiel qui appuieront les efforts du personnel dans les régions où sa représentation laissait à désirer, c'est-à-dire : la Colombie-Britannique, le nord de la Saskatchewan, la ville de Québec et la Gaspésie, la Nouvelle-Écosse, l'Île-du-Prince-Édouard et Terre-Neuve. (On trouvera à l'annexe A une description plus complète des activités du Commissaire.)

L'Ouest

Si les 179 000 Canadiens d'expression française qui vivent dans l'Ouest représentent environ 20 p. 100 des francophones hors du Québec, ils ne comptent que pour 2,4 p. 100 de la population globale de la région. C'est ce qui explique, sans doute, les difficultés particulières qu'ils connaissent et les débats orageux que suscite parfois dans l'Ouest la question du bilinguisme officiel. Malheureusement, l'année a été marquée par des affrontements au sujet des écoles de langue française, des batailles juridiques portant sur le droit d'un accusé de subir son procès dans la langue officielle de son choix, et des controverses quant à l'usage du français dans les assemblées législatives. Pourtant, des progrès se sont également manifestés. Comme le faisait remarquer Léo Piquette, député de la circonscription albertaine d'Athabasca – Lac La Biche, le public le mieux informé semble favoriser de plus en plus la reconnaissance, le respect et la mise en œuvre des droits de la communauté minoritaire.

Cette année encore, la lenteur de la traduction des lois unilingues du **Manitoba** a suscité des plaintes, mais le procureur général de la province soutient qu'elle sera terminée dans les délais imposés par la Cour suprême, soit d'ici 1990. Entretemps, le ministre de l'Environnement, Gérard Lecuyer, s'est vu confier la présidence d'un comité interministériel sur la prestation des services en français. En juillet, 20 des 25 ministères provinciaux avaient élaboré des plans d'action à cet égard, et quelque 700 formulaires importants avaient déjà été traduits. Il n'empêche que M. Lecuyer n'a pu prononcer plus de quelques mots en français à l'Assemblée législative, les membres de l'opposition s'élevant contre le fait qu'aucun interprète n'était présent. Bien que l'Assemblée soit tenue, en vertu de la Constitution, de reconnaître l'égalité des deux langues officielles, les députés francophones qui désirent s'exprimer dans leur langue doivent en aviser à l'avance les autorités afin que la traduction simultanée soit assurée.

Les autorités manitobaines n'ont pas tardé à réagir à l'initiative de parents francophones demandant la création d'un conseil scolaire distinct. Les comités de parents et le gouvernement travaillent à l'élaboration de questions qui seront soumises à la Cour d'appel provinciale afin de déterminer dans quelle mesure la *Loi scolaire* respecte l'article 23 de la *Charte canadienne des droits et libertés*.

Le Collège universitaire de Saint-Boniface

Le Collège universitaire de Saint-Boniface demeure le centre par excellence de l'enseignement postsecondaire offert aux Franco-Manitobains et, dernièrement, à certains anglophones bilingues. Au cours des six dernières années, le Collège a vu doubler le nombre d'inscriptions au programme d'études de jour et quadrupler celui du programme d'éducation des adultes. Le taux d'inscriptions chez les diplômés des écoles secondaires francophones est supérieur aux moyennes de la province et du pays. Le Collège offrira sous peu un programme en sciences d'une durée de quatre ans et un programme d'études coopératives bénéficiant de l'appui des caisses populaires locales. Mais l'établissement n'en connaît pas moins de sérieuses difficultés financières et se trouve dans l'impossibilité de satisfaire tous les besoins de la collectivité. Bref, son rayonnement sur la scène régionale, et les modalités financières et autres qui l'assureront, restent encore à définir.

La Société franco-manitobaine

La Société franco-manitobaine (SFM) a annoncé qu'elle compte organiser l'an prochain des États généraux destinés à ranimer la flamme au sein des communautés francophones de la province. En septembre, la Commission d'enquête de la SFM, présidée par le juge Michel Monnin, a entrepris une série d'audiences publiques dans plusieurs municipalités en vue de la tenue de ces États généraux. Parmi les points abordés au cours des premières audiences à Sainte-Anne et à Saint-Vital, mentionnons la nécessité d'un système scolaire plus autonome et l'amélioration des services provinciaux et municipaux en français.

En collaboration avec le bureau régional du Commissaire, les représentants de la SFM ont rencontré des porte-parole de plusieurs ministères et organismes fédéraux afin de faire avancer le dossier de l'offre active de services bilingues.

Le 29 juillet, la Société a reçu la visite du premier ministre du Québec, Robert Bourassa, qui voulait se renseigner directement sur la situation du français au Manitoba. Il s'est engagé à accroître l'aide du Québec par le biais de programmes de développement communautaire. D'autre part, le Comité mixte permanent des langues officielles a fait savoir à la SFM qu'il acceptait de participer aux États généraux de mars 1988.

En début d'année, nombre de Franco-Manitobains ont été troublés d'apprendre que la ville de Winnipeg avait décidé d'intégrer les volumes anglais de la bibliothèque municipale de Coronation Park à la collection de volumes français de la bibliothèque de Saint-Boniface. Ils craignaient que cette mesure ne fasse perdre à la nouvelle bibliothèque de Saint-Boniface son caractère français. En fin de compte, la ville a décidé de donner suite à son projet en ayant soin toutefois de maintenir la haute qualité des services offerts en français. Par ailleurs, un certain nombre de présidents de conseils municipaux et de conseillers francophones ont créé une Association des élus municipaux francophones chargée d'examiner la demande de services municipaux bilingues et de proposer des améliorations à cet égard. Ses recommandations sont attendues en 1988.

Le 28 mai 1987 marquait une première dans l'histoire de la **Saskatchewan**. En effet, elle recevait la visite d'un président de la République française, François Mitterrand, qui s'est entretenu à Regina avec les autorités provinciales et les porte-parole de la minorité. Le Président a affirmé que le gouvernement français était intéressé à promouvoir les échanges culturels avec la Saskatchewan.

L'Association culturelle franco-canadienne (ACFC) a célébré dans sa ville natale de Duck Lake le 75e anniversaire de sa fondation. Des fêtes ont également eu lieu à Prud'homme et à Saskatoon. Formée en premier lieu pour veiller à la création d'écoles françaises, l'ACFC a joué un rôle de premier plan dans la mise sur pied du Bureau de la minorité de langue officielle au sein du ministère de l'Éducation, et elle défend toujours aussi activement le droit des Fransaskois à un enseignement dans leur langue.

Dans une allocution prononcée lors de l'assemblée générale de l'ACFC, le premier ministre Devine a indiqué qu'il avait l'intention de réactiver le comité inter-ministériel chargé de dresser l'inventaire des services offerts en français par la province, d'évaluer la demande à cet égard et de recommander des améliorations. Le ministre fédéral de la Justice, M. Hnatyshyn, a abordé quant à lui les nouvelles perspectives ouvertes par le projet de loi C-72 et par la mise en œuvre, en Saskatchewan, de la partie XIV(1) du *Code criminel*.

Sous l'impulsion de l'ACFC, une coalition de groupes de parents a demandé à la Cour du Banc de la reine de reconnaître aux Fransaskois le droit d'administrer eux-mêmes leurs écoles. La coalition a soutenu que la *Loi scolaire* ne respecte pas l'article 23 de la *Charte canadienne des droits et libertés*, et que le régime actuel des écoles mixtes contribue largement à l'assimilation de la minorité francophone. On attend toujours la décision du tribunal.

Le français au criminel

En juin dernier, pour la première fois à Regina, une personne inculpée de meurtre a été jugée en français. À la fin de 1986, un autre procès criminel — dont le chef d'accusation était moins grave — avait eu lieu en français à Gravelbourg. Le gouvernement de la province a annoncé que la partie XIV(1) du *Code criminel* serait officiellement mise en vigueur à compter du mois de septembre, assurant ainsi aux accusés le droit d'être jugés dans la langue officielle de leur choix.

En juillet, on a rendu une décision importante dans une affaire connexe : au nom de la majorité des magistrats de la Cour d'appel, le juge Cameron a statué que la *Loi sur les territoires du Nord-Ouest* de 1891 et la *Loi sur la Saskatchewan* reconnaissaient le droit d'un inculpé de subir un procès criminel en français, que la Saskatchewan avait les ressources linguistiques nécessaires pour permettre aux accusés de se prévaloir de ce droit et que la partie XIV(1) du *Code criminel* devait être adoptée sans délai afin de ne pas risquer de contrevenir aux droits reconnus aux accusés par l'article 15 de la Charte. Nous avons analysé cette décision en profondeur à la partie I.

Si la célèbre cause intentée en 1981 par feu le père André Mercure afin de déterminer si l'article 110 de la *Loi sur les territoires du Nord-Ouest* s'appliquait toujours en Saskatchewan a été entendue par la Cour suprême du Canada en novembre 1986, celle-ci n'a toujours pas rendu sa décision. La Cour doit se prononcer sur la validité des dispositions visant l'utilisation du français et de l'anglais à l'Assemblée législative et devant les tribunaux de la province.

Au cours de l'année, les dirigeants de la communauté fransaskoise ont rencontré la ministre fédérale des Communications, M^me^ Flora MacDonald, et le président de la Société Radio-Canada, M. Pierre Juneau, pour plaider la cause de la télédiffusion en langue française. Les Fransaskois réclament, notamment, un élargissement de la gamme d'émissions locales de Radio-Canada et l'extension à l'ouest du Manitoba de TV5, réseau de télévision de langue française.

En 1987, deux questions linguistiques ont défrayé la chronique en **Alberta**. La première — que nous traiterons dans le chapitre qui suit — était celle de la télédiffusion dans les langues officielles des Jeux olympiques d'hiver 1988, et la seconde celle de « l'affaire Piquette ». Le 7 avril, Léo Piquette, député francophone d'une circonscription albertaine, a tenté au cours d'une séance de l'Assemblée législative de poser une question en français à la ministre de l'Éducation qui est bilingue. Cependant, le président de l'Assemblée l'en a empêché, soutenant que M. Piquette avait omis de demander au préalable l'autorisation de s'exprimer en français. L'affaire a été portée devant le Comité permanent des privilèges et des élections.

La controverse s'est envenimée lorsque l'*Edmonton Journal* a affirmé que la décision du président était une « grossière erreur de jugement » et que les députés avaient le droit de s'adresser dans la langue officielle de leur choix aux membres de l'Assemblée législative. Le président a alors averti le journal qu'on pourrait le traduire en justice pour outrage à l'Assemblée législative. Puis, le débat s'est

étendu à la scène fédérale lorsque le premier ministre Mulroney s'est prononcé en faveur de l'usage du français à l'Assemblée législative et qu'il a abordé la question avec le premier ministre Getty. Le Commissaire s'est dit consterné que l'on n'ait pas accordé à l'une des deux langues officielles du Canada le statut qui lui revient.

Après la déposition de plusieurs spécialistes, dont la majorité estimait que la *Loi sur les territoires du Nord-Ouest* et la *Loi sur l'Alberta* autorisent l'usage du français à l'Assemblée législative de la province, le Comité des privilèges et des élections a recommandé à M. Piquette de présenter des excuses au président. Il a également recommandé qu'à l'avenir, tout membre qui désire s'exprimer dans une langue autre que l'anglais en avise le président deux heures à l'avance et fournisse une traduction de sa question ou de son discours. À la fin de l'année, l'Assemblée législative a décidé de donner suite aux recommandations du Comité. Le 1er décembre, les porte-parole de la communauté minoritaire et les représentants de l'association dynamique Francophonie Jeunesse de l'Alberta, se sont réunis devant l'Assemblée législative pour manifester leur appui à M. Piquette. Si ce dernier ne s'est pas excusé d'avoir parlé français, il a cependant affirmé qu'il n'avait pas voulu manquer de respect envers le président. Ce dernier a accepté l'explication de M. Piquette.

Les progrès sur le plan juridique ont été plus rapides. À la suite de la décision rendue en 1985 par le juge Sinclair de la Cour du Banc de la reine, qui reconnaissait le droit d'un accusé, en vertu de l'article 110 de la *Loi sur les territoires du Nord-Ouest*, d'utiliser le français ou l'anglais lors d'un procès criminel, le procès de cinq francophones a commencé en septembre à Calgary devant un juge et un jury d'expression française. Au cours du même mois, la Cour d'appel de l'Alberta confirmait par une décision majoritaire la validité de l'article 110 et le droit d'un accusé d'utiliser le français ou l'anglais lors d'un procès criminel en Alberta. Dans une autre décision majoritaire rendue à la fin de l'année, cependant, elle statuait qu'on ne saurait invoquer le droit à l'égalité garanti par l'article 15 de la Charte pour obtenir un procès devant un juge et un jury qui comprennent le français, parce que la partie XIV(1) du *Code criminel* n'est pas en vigueur en Alberta.

L'enseignement en langue minoritaire

À Edmonton, l'Association des parents francophones de l'école Georges-et-Julia-Bugnet a à la fois gagné et perdu du terrain dans la bataille juridique qu'elle livre au gouvernement de l'Alberta. On se souviendra qu'en 1985, le juge Purvis de la Cour du Banc de la reine avait reconnu qu'il y avait suffisamment d'élèves francophones pour justifier, en vertu de l'article 23 de la Charte, l'octroi de deniers publics à l'enseignement en langue française, mais sans aller jusqu'à recommander la création d'un système scolaire autonome. Sa décision a été portée en appel, et cette année, dans une décision qui paraît défavoriser la communauté francophone, le juge Kerans de la Cour d'appel de l'Alberta a affirmé que si l'article 23 de la Charte garantit à la minorité de langue officielle le droit à l'enseignement public dans sa langue et le droit de participer à la gestion de ses

écoles lorsque le nombre le justifie, on n'avait pas démontré que le nombre le justifiait à Edmonton. La Cour suprême du Canada a accepté d'entendre l'appel de l'Association (voir la partie I). Le Commissaire, qui était intervenu dans cette affaire, a rencontré les ministres intéressés et les porte-parole de la minorité afin de manifester son appui à la création d'écoles françaises autonomes.

Si l'on semble reconnaître aux élèves francophones le droit de suivre des cours dans leur langue, ces cours se donnent pourtant toujours, pour la plupart, dans des écoles anglaises. Les écoles primaires Maurice-Lavallée à Edmonton, et Sainte-Anne à Calgary, font toutefois exception à cette règle. À plusieurs endroits les enfants francophones se retrouvent dans les classes d'immersion en français, conçues pour les anglophones qui désirent apprendre la langue seconde, et non pour des élèves ayant le français comme langue maternelle. Ainsi on s'attend à ce que le système d'enseignement albertain fasse l'objet de nouvelles batailles juridiques. Par exemple, un groupe de parents francophones de la région de Saint-Paul a intenté un procès aux autorités scolaires locales devant la Cour du Banc de la reine de l'Alberta. Les parents veulent qu'on reconnaisse leur pleine autorité sur les programmes d'études et les écoles de leurs enfants.

Bien que le projet de loi 59 sur l'éducation reconnaisse le droit des Franco-Albertains à l'enseignement dans leur langue, il ne prévoit aucun mécanisme assurant leur participation à la gestion de leurs écoles. À la fin de l'année, le Conseil des écoles catholiques d'Edmonton a présenté un projet accordant aux parents francophones un droit de regard sur la gestion des écoles françaises du district. Le Commissaire a émis l'avis qu'il s'agissait d'un pas dans la bonne voie, mais qu'il fallait aller plus loin. En décembre, le Conseil a abandonné son projet à la suite de l'opposition manifestée par les parents francophones.

La Faculté Saint-Jean

En septembre, le Commissaire aux langues officielles a visité la Faculté Saint-Jean de l'Université de l'Alberta, à Edmonton, et y a rencontré des membres de la communauté francophone. La Faculté connaît un essor rapide, le nombre d'étudiants ayant augmenté de 22 p. 100 depuis l'an dernier pour atteindre 506 au début de l'année 1987-1988. De plus, le programme d'études permanentes de la Faculté offrait des cours à 3 021 personnes, francophones et anglophones bilingues de l'Alberta, de la Saskatchewan et des Territoires du Nord-Ouest. Cependant, les besoins de la région en matière d'enseignement postsecondaire en français dépassent toujours la capacité de la Faculté, et c'est pourquoi celle-ci a dû mettre au point un plan d'expansion quinquennal. Ce plan prévoit notamment la formation professionnelle des enseignants dans le domaine de l'enseignement en français et de l'enseignement immersif, ainsi que l'élargissement des cours offerts dans les domaines de la science et des arts. (On trouvera dans la partie V, qui traite de l'éducation, des renseignements supplémentaires sur l'enseignement postsecondaire en français.)

L'Association canadienne-française de l'Alberta

Au cours de l'année, l'Association canadienne-française de l'Alberta (ACFA) s'est consacrée à plusieurs entreprises de développement communautaire : tenue d'une loterie pour le financement des procès intéressant le droit à l'enseignement en langue minoritaire ; création d'un groupe chargé de promouvoir le bilinguisme

lors des Jeux olympiques d'hiver (Contact-Calgary) ; réalisation d'un sondage sur les besoins de la population francophone de Fort McMurray en matière de culture et d'éducation ; appui, enfin, à la création de plusieurs centres culturels francophones. L'ACFA a aussi fait savoir au gouvernement fédéral qu'elle s'opposait aux coupures qu'on se proposait d'effectuer, malgré la mise en œuvre de certaines recommandations du rapport Caplan-Sauvageau sur la politique de la télédiffusion, dans la gamme d'émissions locales du réseau français de Radio-Canada. La communauté a lancé une campagne visant à encourager les Franco-Albertains à demander les services provinciaux dans leur langue.

Cette année, la Fédération des Franco-Colombiens (FFC) a réclamé du gouvernement de la **Colombie-Britannique** l'établissement d'un conseil scolaire de langue française pour les 45 000 francophones de la province. En mai, lors d'une rencontre avec le ministre de l'Éducation, le Commissaire a manifesté son appui au projet de la FFC. Si les autorités provinciales n'ont pas encore accédé à cette demande, elles ont cependant publié une nouvelle politique d'ensemble pour le programme cadre de français. Celle-ci garantit aux élèves francophones un programme complet dans leur langue de la maternelle à la douzième année, et chaque district scolaire se verra octroyer à cette fin des fonds qui seront incorporés à son budget régulier. En vertu de la nouvelle politique, le programme ne peut être mis en œuvre que si le district scolaire compte 10 élèves francophones au primaire et 15 au secondaire. D'autre part, l'école Larson-Annexe, troisième école de langue française de la province, a ouvert ses portes à Vancouver-Nord.

La FFC a également pressé le gouvernement de la province d'adopter la partie XIV(1) du *Code criminel* afin de permettre la tenue de procès criminels en français, mais au moment de mettre sous presse, elle n'a toujours pas obtenu gain de cause. Si l'usage du français devant les tribunaux pose toujours un problème, par contre, il n'en va pas de même à l'Assemblée législative. C'est qu'on y a débattu sans controverse en français, au mois de juin, la question de l'amélioration de la qualité de l'enseignement en langue minoritaire.

L'assemblée générale de l'Association culturelle Franco-TéNOise (ACFT), qui s'est tenue à Yellowknife en mars dernier, a permis aux différentes associations francophones des **Territoires du Nord-Ouest** de coordonner leurs activités. Quelques mois plus tard, à Iqaluit, les autorités locales ont acquiescé à la demande des parents francophones en embauchant deux professeurs de langue française. L'ACFT a contribué à une importante étude sur les services offerts en français par le gouvernement, et celle-ci devrait entraîner des améliorations. De plus, elle a demandé à Radio-Canada d'étendre son réseau français à Yellowknife ainsi qu'à d'autres villes des Territoires. À l'heure actuelle, les rares collectivités qui ont accès à une programmation française doivent en encourir eux-mêmes les frais.

Fort de l'appui du Conseil canadien de développement social, M. Daniel St-Jean du **Yukon** a décidé de porter sa cause, touchant une contravention au *Code de la route*, devant la Cour d'appel. Il s'agit de savoir si le gouvernement du Yukon

constitue ou non une institution du Parlement canadien assujettie, à ce titre, à la *Loi sur les langues officielles* de même qu'aux dispositions linguistiques de la *Charte canadienne des droits et libertés*. En 1986, le juge Meyer de la Cour suprême du Yukon avait décidé que tel n'était pas le cas. Le Commissaire aux langues officielles, qui a reçu l'autorisation d'intervenir, entend faire valoir que le Yukon est une institution fédérale aux fins de la *Loi sur les langues officielles*. Cette question a également fait l'objet de discussions entre l'Association des Franco-Yukonais et les porte-parole des gouvernements fédéral et territorial.

L'Ontario

L'adoption par l'Assemblée législative de l'Ontario, en novembre 1986, de la *Loi sur les services en français* (loi 8) a été favorablement accueillie par la presse, les partis politiques et l'Association des municipalités de l'Ontario, qui représente quelque 630 des 800 municipalités ontariennes. Cependant, un certain nombre de citoyens de l'Ontario ont mis en doute la nécessité de cette mesure et se sont interrogés sur ses effets à long terme. Il est possible que les objectifs de la Loi n'aient pas été suffisamment expliqués. Plusieurs petites municipalités dans des régions unilingues de la province semblaient croire que la Loi les obligerait à offrir leurs services en français et à créer des postes bilingues au sein de leur administration. Le fait que la Loi n'impose aucune obligation aux municipalités n'a pas empêché plusieurs villes, situées pour la plupart dans l'est de la province, de proclamer officiellement leur unilinguisme anglais.

La controverse soulevée par la mise en œuvre progressive de la loi 8 et la possibilité que l'Ontario devienne officiellement bilingue a également influé sur la campagne électorale de l'été 1987. Si la question du bilinguisme n'était primordiale que dans quelques circonscriptions, on estime cependant qu'elle a joué un rôle non négligeable dans les résultats du vote. Un mouvement prônant la tenue d'un référendum sur les effets de la *Loi sur les services en français* et sur le bilinguisme officiel de la province a gagné des adeptes, mais la mise en œuvre de cette loi suit néanmoins son cours. Le gouvernement de l'Ontario s'emploie à dissiper les malentendus tout en refusant fermement de revoir ou d'abolir la Loi.

Au mois de février, le Conseil municipal de Kapuskasing a discrètement mis fin à la controverse qu'avait provoqué la mise en œuvre d'un règlement visant le bilinguisme des services municipaux. En fin de compte, le Conseil a adopté à l'unanimité le règlement 2019 qui reconnaît le caractère bilingue de la municipalité et garantit la prestation des services dans les deux langues officielles.

L'Association canadienne-française de l'Ontario

Porte-parole des Franco-Ontariens, l'Association canadienne-française de l'Ontario (ACFO) a continué de défendre la cause de la réforme linguistique auprès des autorités locales et provinciales. Selon l'Association, le bilinguisme officiel serait, pour la province, l'aboutissement logique des récentes initiatives constitutionnelles, juridiques et politiques. Elle a reproché à tous les partis politiques à la dernière élection provinciale d'avoir éludé la question : ils auraient dû insister sur le fait que le bilinguisme officiel ne signifiait nullement la transformation radicale des

processus administratifs. Les sections locales de l'ACFO se sont également penchées sur plusieurs dossiers liés à l'enseignement et à la prestation de services essentiels en français. Ainsi, la section Ottawa-Carleton a lancé une campagne visant à sensibiliser les Franco-Ontariens à leur patrimoine et à les inciter à se prévaloir de services offerts en français, le gouvernement de l'Ontario ayant versé une subvention de 30 000 $ pour la mise en œuvre de ce programme. D'autre part, Bell Canada et l'ACFO ont créé un comité mixte chargé d'examiner les services offerts aux abonnés de langue française en Ontario et de proposer des améliorations : il s'agit là d'un bon exemple des possibilités de promotion des langues officielles dans le secteur privé.

La section de Sudbury de l'ACFO, qui réclame l'amélioration des services de langue française offerts par l'hôpital Sudbury-Algoma, et l'Association Franco-Nord, qui cherche à obtenir de meilleurs soins dans le domaine de la santé mentale pour les enfants francophones du district de Sudbury-Manitoulin, ont initialement applaudi au projet du gouvernement provincial de créer une société chargée de la gestion des services de santé mentale offerts à tous les enfants de la région. Elles ont depuis exprimé des doutes quant à la capacité de la société de répondre aux besoins de la population francophone. Bon nombre de sections de l'ACFO s'inquiètent également de la pauvreté des services de garderie offerts aux parents francophones.

L'enseignement en langue minoritaire

L'année 1987 a marqué en Ontario le 75e anniversaire de la promulgation du règlement 17, qui avait à toutes fins utiles interdit l'enseignement du français dans les écoles de la province. Heureusement, en reconnaissant progressivement le droit de la minorité à l'enseignement dans sa langue, la province a fait amende honorable. Ainsi, la mise sur pied d'un conseil scolaire de langue française dans le comté d'Ottawa-Carleton va bon train, même si le partage des ressources pose encore des problèmes. La population du comté de Prescott-Russell a, dans l'ensemble, favorablement accueilli les recommandations du Comité d'étude des conseils scolaires de Prescott-Russell (Comité Godbout) visant, entre autres choses, la création d'un conseil scolaire francophone. Enfin, nombre de Franco-Ontariens ont poussé un soupir de soulagement en juin dernier lorsque la Cour suprême du Canada s'est prononcée sur la constitutionnalité de la loi 30 sur le financement des écoles catholiques. En effet, la Cour a dit que le plein financement des écoles catholiques est garanti par la *Loi constitutionnelle de 1867*, et ne peut être modifié par les dispositions de la *Charte canadienne des droits et libertés* visant l'enseignement en langue minoritaire. Ainsi, le choix douloureux entre la langue et la religion qui s'imposait à de nombreux parents francophones sera bientôt chose du passé.

En octobre, la Cour suprême de l'Ontario a rendu son jugement dans l'affaire opposant le Conseil de l'enseignement en langue française du Conseil scolaire du comté de Simcoe au ministère de l'Éducation. L'affaire, qui suscitait des tensions depuis plusieurs années, avait trait à la qualité des installations de l'école secondaire francophone Le Caron à Penetanguishene, ces dernières n'étant pas comparables à celles de l'école secondaire de langue anglaise. La Cour a établi

que le Conseil de l'enseignement en langue française avait le droit de fixer les sommes nécessaires pour améliorer les installations et a ordonné au gouvernement provincial et au Conseil scolaire du comté de Simcoe d'accorder les fonds nécessaires, soit quelque 4,5 millions de dollars.

L'enseignement postsecondaire en français

En avril dernier, le gouvernement de l'Ontario a annoncé une série de mesures visant à améliorer les services d'enseignement postsecondaire offerts aux francophones. C'est ainsi qu'on augmentera, entre autres, les crédits affectés aux programmes d'études postsecondaires en langue française, l'aide aux étudiants ontariens fréquentant des maisons d'enseignement postsecondaire au Québec, et qu'on établira des mesures visant à inciter les Franco-Ontariens à poursuivre des études avancées dans leur langue. Ces faits sont particulièrement réjouissants si l'on songe que la proportion de Franco-Ontariens inscrits à temps plein au baccalauréat est deux fois moindre que celle de la population dans son ensemble. Par ailleurs, les professeurs du Collège Algonquin à Ottawa ont appuyé la création d'un collège communautaire indépendant de langue française afin de satisfaire les besoins des francophones de la région de la Capitale nationale. Cette structure leur paraît préférable à l'actuel système bilingue, en ce qu'il remet à ceux qui comprennent les valeurs et les aspirations des Franco-Ontariens le soin de prendre les grandes décisions en matière d'enseignement. Enfin, les étudiants de l'Université d'Ottawa ont débattu de la nécessité d'une université de langue française en Ontario. On trouvera à la partie V des renseignements supplémentaires sur le postsecondaire.

Sur le plan culturel, soulignons que le Festival franco-ontarien qui a eu lieu à Ottawa a connu un succès sans précédent. Au cours des années, ce festival s'est imposé comme une importante manifestation socio-culturelle à laquelle participent les francophones de l'Ontario et d'ailleurs ainsi que tous ceux qui aiment la culture française. La réputation des artistes franco-ontariens a largement dépassé les frontières de la province. Cette année, l'Assemblée des centres culturels de l'Ontario a accepté de participer à un programme d'échanges culturels avec les Maisons de la culture de Montréal, et elle étudie la possibilité d'en faire autant avec les Maritimes. Ces quelques exemples témoignent bien de la vitalité des communautés francophones de l'Ontario, vitalité qui augmente à mesure qu'elles obtiennent reconnaissance et appui. Bref, il semble que l'Ontario parvienne enfin à la maturité linguistique et constitue aujourd'hui un excellent exemple de ce que peuvent accomplir la persévérance, la tolérance et la bonne volonté.

Le Québec

Les Québécois d'expression anglaise sont un groupe unique parmi les minorités de langue officielle. Ils constituent, en effet, la seule minorité anglophone du pays, alors que les anglophones sont en majorité partout ailleurs au Canada et en Amérique du Nord. Par contre, les 5,4 millions de Québécois d'expression française représentent 82,8 p. 100 de la population de la province, mais seulement 2 p. 100 de celle du continent. C'est ce qui explique qu'ils se tournent vers leurs

institutions pour assurer la sauvegarde de leur patrimoine linguistique et culturel. Les quelque 700 000 Québécois dont la langue maternelle est l'anglais se trouvent ainsi dans une situation précaire. Tout en appuyant dans une certaine mesure les revendications de leurs concitoyens francophones, ils doivent lutter pour la reconnaissance de leurs droits linguistiques afin d'assurer la vitalité de leur collectivité.

La loi 101

C'est autour de la *Charte de la langue française* (loi 101), adoptée en 1977, que s'est cristallisé au Québec le sentiment d'une double menace linguistique. Si nombre d'anglophones l'ont perçue comme une atteinte aux droits linguistiques acquis, les francophones y ont vu un indispensable brise-lames devant protéger leur langue dans un océan d'anglais. Au cours des dix dernières années, cependant, plusieurs facteurs ont contribué à apaiser quelque peu l'opinion publique ; la majorité francophone s'est renforcée au Québec et certaines des restrictions les plus controversées pesant sur l'anglais ont été abolies par les tribunaux. Pourtant, l'emploi illégal de l'anglais peut encore entraîner une amende, et l'année 1987 a été marquée par une recrudescence du débat linguistique. L'article 58 concernant l'unilinguisme français dans l'affichage et la publicité commerciale a de nouveau défrayé la chronique. On se souviendra que la question a été portée plusieurs fois devant les tribunaux. Dans ses dernières décisions, la Cour d'appel a statué que l'article 58 est incompatible avec la liberté d'expression consacrée par la Constitution. Le Québec peut ainsi imposer l'usage du français dans l'affichage, mais non interdire d'autres langues. L'affaire a été entendue par la Cour suprême du Canada en novembre dernier, mais aucune décision n'a encore été rendue.

Mais les Québécois anglophones n'ont pas attendu de porter leur cause devant les tribunaux pour rappeler au gouvernement sa promesse électorale d'amender l'article 58 afin de permettre l'affichage bilingue. Les autorités provinciales ont examiné à fond tous les moyens d'assouplir les restrictions en matière d'affichage sans porter atteinte à la primauté du français, par exemple en autorisant les petites entreprises à afficher dans les deux langues. Cependant, le premier ministre Bourassa a déclaré qu'il convient d'étudier encore la question et que la « paix sociale » devra peut-être l'emporter sur les promesses électorales. À la fin de l'année, il s'était engagé à adopter une solution raisonnable et qui paraîtrait telle à tous les intéressés. Cette affirmation sibylline ne change rien au fait que les commerçants qui ne respectent pas la règle de l'affichage unilingue français risquent de subir une enquête de la Commission de protection de la langue française et éventuellement d'être traduits en justice. Au cours de l'année, les tribunaux ont prononcé 17 condamnations en ce qui touche l'article 58 : huit pour affichage unilingue anglais et neuf pour affichage en français et dans une autre langue.

Sans nier le besoin d'une législation linguistique, le Commissaire demeure convaincu que les mesures adoptées doivent viser la promotion de la langue française plutôt que la diminution des droits fondamentaux des Québécois anglophones. Il a fait connaître ce point de vue au gouvernement du Québec en lui demandant de trouver une solution acceptable au problème de l'affichage.

Les membres de la communauté anglophone ont également regretté, au cours de l'année, que la ministre des Affaires culturelles, Lise Bacon, ait fait adopter des amendements à la *Loi sur le cinéma* autorisant le gouvernement à restreindre le nombre de films distribués en anglais dans la province sans qu'une version en langue française ne soit disponible. Ces amendements ont pour but d'inciter les distributeurs à accélérer la production des versions françaises.

L'enseignement en langue anglaise

D'autres problèmes ont suscité l'inquiétude des Anglo-Québécois, notamment la très importante question de l'accès aux écoles de langue anglaise. En effet, si la minorité dispose toujours d'un système d'éducation complet qui compte trois universités, elle n'en connaît pas moins de réelles difficultés. L'effectif du secteur scolaire anglophone a connu une baisse encore plus marquée que celle du secteur francophone, passant de 249 000 élèves en 1970-1971, à 117 000 en 1985-1986, soit une diminution de 53 p. 100. Cette chute a provoqué des crises dans le système anglophone : fermetures d'écoles, licenciements et réorganisations continuelles.

L'une de ces réorganisations a d'ailleurs soulevé un véritable tollé au sein de la population anglophone de Brossard. En janvier, la Commission des écoles catholiques a annoncé que les élèves anglophones de l'école Good Shepherd seraient transférés à l'école Saint-Michel située dans le nord du district scolaire. Les élèves se voyaient ainsi obligés de faire un long trajet et la collectivité perdait son centre communautaire. En dépit d'une opposition acharnée, le transfert a été approuvé en avril dernier. Les parents anglophones ont alors manifesté devant les bureaux de la Commission scolaire et gardé leurs enfants à la maison en menaçant de porter la question devant les tribunaux. Le ministre de l'Éducation a finalement demandé à la Commission de surseoir à la mise en œuvre de son projet et il a nommé un médiateur, qui a formulé un compromis permettant l'aménagement de classes anglaises dans les deux écoles. Cependant, les parents anglophones sont mécontents de cette entente qui les oblige à partager deux écoles avec des francophones. Dans la région montréalaise, d'autres parents anglophones ont lutté pour empêcher la fermeture des écoles Westmount High, Northmount High et Barclay. Enfin, l'école Harrington dans les Laurentides ayant fermé ses portes, ses élèves anglophones doivent maintenant effectuer chaque jour un long trajet en autobus.

La redéfinition des commissions scolaires confessionnelles selon des critères linguistiques est l'une des solutions possibles aux problèmes de la langue dans l'enseignement. Le 15 décembre dernier, le ministre de l'Éducation, M. Claude Ryan, a déposé le projet de loi 107 visant la création de commissions à caractère linguistique. On se souviendra que la Cour supérieure du Québec avait déclaré inconstitutionnel un projet de loi semblable déposé par le Parti québécois en 1984 parce qu'il enfreignait le droit à l'enseignement confessionnel garanti par l'article 93 de la *Loi constitutionnelle de 1867*. C'est pourquoi le Ministre entend porter la question devant la Cour d'appel du Québec avant de promulger les articles les plus controversés. Le projet de loi 107 ne modifiera pas le statut des quatre commissions scolaires confessionnelles que l'on croit protégées en vertu de

l'article 93 : la Commission des écoles catholiques de Montréal, la Commission des écoles protestantes du Grand Montréal et les premières commissions scolaires catholique et protestante de la ville de Québec. Dans une entrevue accordée quelques jours avant le dépôt du projet de loi, le premier ministre Bourassa a fait savoir que son gouvernement était disposé à demander un amendement constitutionnel si cela s'avérait nécessaire pour obtenir les changements qui s'imposent. Alliance Québec ainsi que de nombreux enseignants, tant du secteur francophone qu'anglophone, ont accordé leur appui au projet de loi.

M. Ryan déposait également, le même jour, le projet de loi 106 intéressant l'élection des commissaires d'école. En vertu de la nouvelle loi, des sections électorales spéciales seront créées afin d'assurer une représentation francophone équitable au sein des commissions scolaires protestantes de langue anglaise lorsque 200 élèves, ou 5 p. 100 de l'effectif, fréquentent l'école française. Des dispositions semblables garantiraient la représentation anglophone au sein des commissions scolaires catholiques de langue française.

La Cour supérieure du Québec a maintenu cette année, à l'encontre d'une requête déposée par les commissions scolaires anglophones, la validité de certaines dispositions de la loi 101 en vertu desquelles un enfant ne peut être inscrit à l'école anglaise que si l'un de ses parents a reçu au moins la moitié de sa formation dans un établissement canadien de langue anglaise. Le juge Provost a fait valoir que, si un jugement de la Cour suprême avait déclaré inconstitutionnelle la « clause Québec » de la loi 101 qui limitait l'accès aux enfants dont l'un des parents avait fréquenté l'école anglaise au Québec, cela ne diminuerait en rien la portée des autres dispositions que les commissions scolaires étaient tenues de respecter[1].

Sur la scène collégiale, les anglophones ont eu lieu de se réjouir. En effet, le ministre de l'Éducation a annoncé l'accession à la pleine autonomie du campus Heritage, section anglaise du cégep de l'Outaouais. On envisage également la possibilité de nouvelles installations pour les 775 étudiants du collège. D'autre part, les étudiants anglophones du cégep de Val-d'Or ont demandé à recevoir des cours dans leur langue. Les universités anglophones du Québec, quant à elles, ont connu des difficultés financières. Ainsi le recteur de l'université Concordia a fermé l'établissement pendant la journée du 17 novembre pour protester contre l'insuffisance chronique des fonds octroyés par le ministère de l'Enseignement supérieur et de la Science, tandis que le personnel et les étudiants manifestaient leur mécontentement devant l'Assemblée nationale et les bureaux du Ministère. Le recteur de l'université McGill a également accusé le gouvernement de ne pas consentir à son organisme les ressources nécessaires.

[1] Au début de janvier, le juge Steinberg de la Cour supérieure du Québec a déclaré invalide un règlement prévoyant que seul un enfant dont l'un des parents avait reçu toute son éducation en anglais avait le droit de fréquenter une école anglaise. Dans sa décision, il soutient que le règlement impose des restrictions plus sévères que les dispositions de la *Charte de la langue française* dont il découle.

Les services sociaux et de santé

Cette année, on a marqué des points dans le domaine des services sociaux et de santé. L'Assemblée nationale a adopté le projet de loi 142 qui dispose que « toute personne d'expression anglaise a le droit de recevoir en langue anglaise des services de santé et des services sociaux, compte tenu de l'organisation et des ressources des établissements qui dispensent ces services ». Les services sociaux et de santé de la province s'emploient à planifier l'amélioration des services en langue anglaise. Ainsi, une séance spéciale d'information a été tenue à cet effet à Québec ; à Lennoxville, un centre local de services communautaires cherchait à recruter des anglophones, et on a créé dans l'ouest du Québec un groupe de travail sur les services en langue anglaise. Si la mise en œuvre de tels mécanismes ne peut s'effectuer du jour au lendemain, la minorité anglophone a pourtant bon espoir d'obtenir bientôt de meilleurs services. Par ailleurs, Alliance Québec a déploré la torpeur des comités régionaux chargés du développement de services en langue anglaise pour les régions de Montréal et de la Rive Sud.

Les membres d'Alliance Québec, de la Townshippers' Association et de la Châteauguay Valley English Speaking Peoples' Association ont de nouveau protesté contre la faible représentation anglophone au sein de la Fonction publique fédérale au Québec. Les Townshippers s'irritent particulièrement du nombre insuffisant de douaniers anglophones. En réaction à ces représentations, on a tenu plusieurs rencontres à Montréal et dans l'Estrie, et des hauts fonctionnaires du Conseil du Trésor et de la Commission de la Fonction publique se sont engagés à multiplier leurs efforts en vue de redresser la participation anglophone au sein des ministères et organismes fédéraux au Québec, laquelle, à 5,5 p. 100, est nettement insuffisante. En janvier dernier, le Commissaire aux langues officielles a d'ailleurs déposé à ce sujet un rapport spécial auprès du Parlement. (Voir la partie II pour de plus amples renseignements.)

Les provinces de l'Atlantique

À l'automne, la publication d'un nouveau manuel scolaire dans les deux langues officielles, *Les Maritimes : trois provinces à découvrir*, financé par les ministères de l'Éducation du Nouveau-Brunswick, de la Nouvelle-Écosse et de l'Île-du-Prince-Édouard, témoigne d'une collaboration croissante entre les provinces maritimes dans la promotion de valeurs sociales qui leur sont communes. Entre autres choses, le manuel sensibilisera les étudiants à l'apport des communautés acadiennes, insistant sur leur longue lutte et leur précieux héritage. L'importance de l'Acadie au sein de la francophonie a d'ailleurs été soulignée en septembre au sommet de Québec. La visite du président français, François Mitterrand, au Village acadien de Caraquet, à cette occasion, se voulait un hommage à la détermination et à l'influence culturelle de l'une des plus anciennes communautés francophones du Canada. Enfin, l'ouverture d'un Centre acadien de civilisation française à Caraquet laisse présager le resserrement des liens entre les Acadiens et la francophonie.

En 1987, le **Nouveau-Brunswick** a été le théâtre de plus d'une escarmouche linguistique, notamment en période électorale. La Société des Acadiens du

Nouveau-Brunswick (SANB) et d'autres dirigeants de la communauté francophone ont reproché au gouvernement provincial l'absence de nouvelles mesures destinées à promouvoir l'égalité linguistique. La plupart des recommandations du rapport du Comité consultatif sur les langues officielles (comité Guérette-Smith) ont reçu un accueil peu enthousiaste. Si le gouvernement s'est montré favorable aux grandes lignes de la réforme proposée, il a cependant rejeté la plupart des mesures concrètes. La SANB a également fait observer que l'accord du lac Meech offre peu aux Acadiens du Nouveau-Brunswick, puisqu'il ne tient pas suffisamment compte du besoin de promouvoir la dualité linguistique et les droits collectifs des minorités de langue officielle.

En septembre dernier, lorsque le gouvernement provincial a annoncé son intention de procéder à une élection, 16 organisations acadiennes se sont associées sous le nom de Concertation 87 afin de poser leurs exigences en matière de réforme linguistique dans les secteurs économique, social, culturel et politique. De plus, la SANB a proposé que l'égalité conférée dans la *Loi reconnaissant l'égalité des deux communautés linguistiques* du Nouveau-Brunswick soit consacrée par la Constitution. Les chefs des partis politiques ont traité ces revendications avec circonspection au cours de la campagne électorale. Le nouveau premier ministre, M. Frank McKenna, a prouvé qu'il s'intéresse au sort de la minorité et qu'il est disposé à adopter des mesures visant à promouvoir l'usage du français dans le secteur de la santé et au sein de la fonction publique provinciale. Fort d'une majorité absolue, le gouvernement devrait pouvoir réaliser ces objectifs dans un proche avenir.

La prestation des services de santé aux francophones dans le nord de la province commande une attention immédiate. La minorité réclame une augmentation des crédits accordés aux hôpitaux, l'achat de nouveau matériel, et de meilleurs soins pour les francophones victimes d'un accident du travail. En raison du besoin pressant d'embaucher un personnel médical de langue française, la SANB a été déçue de voir qu'on n'a pas retenu l'idée de créer une faculté de médecine à l'Université de Moncton. À l'heure actuelle, les francophones qui désirent étudier la médecine dans leur langue doivent quitter les provinces maritimes.

L'entente fédérale-provinciale en matière de langues officielles

Au début d'octobre, le gouvernement du Nouveau-Brunswick et le gouvernement du Canada ont conclu une entente visant la promotion des langues officielles et l'épanouissement de la minorité francophone. L'entente prévoit la mise en œuvre d'une série de mesures touchant les secteurs suivants : 1) le service au public dans les domaines de l'enseignement, de la justice, de la santé et des services communautaires ; 2) la promotion de l'utilisation du français et de l'anglais au travail dans la fonction publique provinciale ; 3) l'épanouissement culturel, social et éducatif des deux collectivités linguistiques du Nouveau-Brunswick ; 4) l'aide aux municipalités afin d'assurer la prestation de services bilingues ; et 5) l'aide aux organismes non gouvernementaux et au secteur privé afin d'assurer la prestation de services bilingues et de favoriser la pleine participation des deux collectivités linguistiques. Cette entente se distingue par la nature globale de ses

objectifs et la reconnaissance du mandat du gouvernement du Canada « d'encourager une reconnaissance et un usage accrus du français et de l'anglais dans la société canadienne et de favoriser et stimuler le développement des communautés de langue officielle à travers le Canada et, aux fins de ces objectifs, de promouvoir une approche coordonnée dans les ministères et organismes fédéraux ». Nous espérons que cette initiative encouragera d'autres provinces à conclure des ententes du même genre.

L'enseignement

C'est avec soulagement que nombre d'Acadiens ont accueilli en juillet dernier la décision du juge Guy Richard, de la Cour d'appel du Nouveau-Brunswick, dans l'affaire opposant la Société des Acadiens du Nouveau-Brunswick et autres parties à l'Association of Parents for Fairness in Education et au District scolaire n° 50. Il s'agissait de savoir si un conseil scolaire de langue anglaise avait le droit d'offrir des cours d'immersion en français à des élèves francophones, et le tribunal a répondu que de tels cours ne peuvent tenir lieu de l'enseignement en français garanti à la minorité aux termes de la *Charte canadienne des droits et libertés*.

C'est avec une grande tristesse que la communauté acadienne apprenait en juillet dernier le décès du père Clément Cormier, figure marquante dans le domaine de l'enseignement. Les citoyens du Nouveau-Brunswick n'oublieront pas de sitôt le travail qu'a accompli pour promouvoir l'éducation en français celui qui fut le fondateur et le premier recteur de l'Université de Moncton. Y a-t-il meilleure façon de rendre hommage à la vision du père Cormier que celle de favoriser l'essor de l'université qui lui était si chère ? Ainsi l'année 1987 a vu l'inauguration de l'École de foresterie et d'un Centre de recherche en linguistique appliquée, qui se penchera sur les problèmes linguistiques dans les milieux minoritaires et bilingues. Le campus de Moncton s'est doté d'un centre de ressources francophone pour les personnes aveugles, et il a octroyé un contrat de près de 5 millions de dollars pour l'agrandissement de sa bibliothèque.

La qualité des services bilingues offerts par les municipalités de Bathurst et de Dieppe a fait l'objet de débats parfois orageux. À Bathurst, c'est la nomination d'un candidat unilingue au poste de directeur des parcs, du loisir et du tourisme qui a suscité l'opposition. À Dieppe, où les francophones représentent 80 p. 100 de la population, la correspondance et les procès-verbaux du conseil municipal n'étaient souvent rédigés qu'en anglais. Celui-ci a décidé que dorénavant les documents seraient émis dans les deux langues officielles. La SANB préconise toujours la création d'une association des municipalités francophones qui veillerait aux intérêts de la communauté acadienne.

En avril, le ministre fédéral de la Justice, M. Hnatyshyn, a annoncé qu'à compter du 1er décembre les accusés francophones de la **Nouvelle-Écosse** auront le droit de subir dans leur langue les procès au criminel. Le Secrétariat d'État accordera une aide financière pour la mise sur pied des services techniques, de formation linguistique et d'interprétation nécessaires à la réalisation du projet. Le gouvernement de la province a annoncé la nomination à la cour provinciale du premier

juge bilingue, M. Batiot, diplômé de l'École de droit de Dalhousie. Le juge Batiot a déclaré à la fin de l'année que le premier procès bilingue de la province se déroulerait à Dartmouth en février 1988.

L'enseignement en langue minoritaire

En juin dernier, le Secrétaire d'État et le ministre de l'Éducation de la Nouvelle-Écosse ont conclu une entente visant la construction, au coût de 8,6 millions de dollars, d'un centre scolaire et communautaire pour les francophones de la région de Halifax-Dartmouth. L'ouverture de l'école, prévue pour septembre 1989, devrait largement contribuer à apaiser les craintes des parents d'enfants qui fréquentent actuellement l'école française de Shannon Park quant à la qualité de l'enseignement en français.

Les parents francophones de Sydney continuent de réclamer du Conseil scolaire du district de Cap-Breton la création d'une école de langue française. En juillet, la Cour suprême de la Nouvelle-Écosse a rejeté une requête déposée par le Comité pour l'éducation française de Sydney, qui avait tenté d'obtenir une injonction pour l'établissement immédiat d'une école française. Le Comité alléguait qu'il serait préjudiciable aux 429 enfants intéressés d'attendre que la cause soit entendue par la Cour suprême de la Nouvelle-Écosse en janvier 1988. Nous apprenons au moment de mettre sous presse que le 14 janvier 1988, le juge Hallett de la Cour suprême a ordonné au conseil scolaire de trouver des locaux convenant à une école de langue française et de procéder, après avoir fait toute la publicité nécessaire, à l'inscription des élèves au cours d'une période de dix jours. Les résultats de cette démarche seront soumis à la Cour d'ici le 30 avril 1988, et celle-ci décidera alors si le nombre d'élèves justifie l'ouverture de l'école. En prévision des inscriptions de septembre 1988, d'autre part, on a également enjoint au gouvernement provincial d'élaborer un programme d'études en français allant de la première à la huitième année afin de permettre aux parents d'en prendre connaissance avant de décider où ils enverront leurs enfants.

L'université Sainte-Anne continue de mettre en œuvre des programmes novateurs et intéressants à l'intention des francophones et des francophiles de la Nouvelle-Écosse. Elle offre maintenant un service de télévision communautaire de langue française trois heures par semaine de même qu'un service télétexte qui fonctionne jour et nuit. Elle offre également depuis quelque temps un service d'éducation des adultes au moyen de vidéocassettes et elle étudie d'autres modes d'enseignement à distance.

La Fédération acadienne de la Nouvelle-Écosse, qui effectue le suivi d'une étude menée en 1986 sur les services fédéraux et provinciaux en français, s'est réjouie lors de son assemblée générale d'octobre d'apprendre que le gouvernement de la province s'est doté d'une politique sur les services en français dans les régions acadiennes. Dorénavant, la désignation linguistique des postes tiendra compte des besoins des collectivités acadiennes. Les membres de la Fédération et des Acadiens de toutes les régions ont également applaudi à l'inauguration d'une nouvelle exposition au parc historique de Grand-Pré. Celle-ci, qui comprend des

tableaux du peintre acadien Claude Picard, présente des objets illustrant la vie acadienne au moment de la déportation.

L'ensemble de la communauté acadienne de l'**Île-du-Prince-Édouard**, et en premier lieu le Comité des parents pour une classe française à Summerside, attendent avec impatience le jugement de la Cour suprême de la province sur la validité de la législation et de la réglementation scolaires provinciales. Ils espèrent que la décision leur permettra de se prévaloir des droits qui leur sont garantis en vertu de l'article 23 de la Charte. Le Commissaire est intervenu dans cette cause afin de prôner l'adoption d'un régime scolaire qui soit davantage conforme aux garanties constitutionnelles. La Société Saint-Thomas d'Aquin continue, pour sa part, de réclamer du Secrétariat d'État et du gouvernement de la province la création d'un centre scolaire et communautaire à Charlottetown. Enfin, la ministre de l'Éducation a annoncé la mise sur pied d'une Direction des services éducatifs en français qui veillera à l'enseignement en langue minoritaire et à celui du français langue seconde.

Le 1er septembre dernier, la province a fait un pas vers la mise en œuvre de la partie XIV(1) du *Code criminel* en accordant aux personnes accusées d'un délit mineur le droit de comparaître à la Cour provinciale devant un juge qui parle français. Elle prépare également la mise en œuvre intégrale de cette partie en veillant à la formation linguistique des juges.

M. Léonce Bernard, ministre de l'Industrie et ministre délégué aux Affaires acadiennes, a commandé une étude sur les services provinciaux offerts dans les deux langues au sein des régions à forte concentration francophone. Le rapport, qui a été rendu public à l'automne, marque une relance qui, nous l'espérons, donnera des résultats intéressants. Le Commissariat aux langues officielles a étudié la prestation des services fédéraux en français à l'Île-du-Prince-Édouard et a proposé la création d'un centre de services en français dans la région d'Évangéline. (Cette étude est résumée dans la partie II.)

C'est avec fierté que les francophones de **Terre-Neuve** et du **Labrador** ont hissé un drapeau conçu à leur intention sur l'emplacement du premier centre scolaire et communautaire de langue française à Grand'Terre. L'ouverture du centre est prévue pour l'automne 1988. En vertu d'une entente fédérale-provinciale conclue dans le cadre du programme des langues officielles dans l'enseignement, le gouvernement fédéral acquittera 75 p. 100 du coût global du projet (1,7 million de dollars), le reste des dépenses incombant aux autorités provinciales. Le centre accueillera des élèves de la maternelle à la sixième année. Le gouvernement provincial, et plus particulièrement le ministre de l'Éducation, méritent à cet égard tous nos éloges. Pendant ce temps, les francophones de Saint-Jean, qui ont vainement tenté d'obtenir de leur conseil scolaire l'établissement de classes de langue française, envisagent de porter leur cause devant les tribunaux. Il faut espérer que les parties réussiront à s'entendre sans recourir à la justice.

La question de la tenue de procès en français à Terre-Neuve et au Labrador a été examinée par la Cour suprême du Canada dans l'affaire Ringuette. Accusé

à Saint-Jean, M. William Ringuette s'est vu refuser le procès en français que lui accordait la partie XIV(1) du *Code criminel*. En septembre, la Cour suprême du Canada s'est prononcée contre M. Ringuette, acceptant ainsi l'argumentation fédérale et provinciale voulant que les difficultés administratives liées à l'absence de juges, de sténographes, de greffiers et d'autres fonctionnaires bilingues étaient, pour le moment, insurmontables. D'ici le 1er janvier 1990, cependant, des amendements au *Code criminel* garantiront aux accusés le droit d'être entendus par un juge et un jury qui parlent le français.

La Fédération des francophones de Terre-Neuve et du Labrador a commandé une étude sur les possibilités qui s'offrent aux minorités en matière d'autogestion scolaire. Par ailleurs, la Fédération a terminé au printemps 1987 son évaluation des services fédéraux offerts en français. Un sondage mené parallèlement a permis de cerner les institutions fédérales auxquelles la communauté francophone accorde le plus d'importance. Enfin, la Fédération travaille de concert avec neuf ministères et organismes fédéraux pour améliorer la qualité des services en français. En octobre, le Commissaire s'est rendu à Terre-Neuve où il a participé à l'assemblée générale de la Fédération et rencontré des porte-parole du gouvernement provincial, avec lesquels il s'est entretenu de l'enseignement et des services offerts à la minorité.

* * *

En 1986, nous réclamions pour les minorités de langue officielle « du mouvement S.V.P. ». Or si l'on a vu en 1987 beaucoup de mouvement sur le plan des principes, tel n'a pas été le cas du point de vue des mesures concrètes. « Bien qu'elle fût en sommeil, la loi n'était pas morte », a dit Shakespeare. Bref, ce qui nous reste comme plan national pour assurer la survie de nos minorités n'est pas tout à fait convaincant, et le vêtement s'avère difficile à rapiécer quand on sait que c'est un remodelage qui s'impose. Le gouvernement du Canada doit collaborer avec les provinces, le secteur privé et l'ensemble de la population afin de proposer une solution qui soit vraiment ajustée aux besoins.

La radiotélévision : hors d'un choix, point de salut

Les médias électroniques, plus précisément la radio et la télévision, imprègnent le quotidien de tous et chacun. Leur importance dans le développement culturel des individus et des collectivités n'échappe à personne. Il est donc essentiel, dans un pays qui s'est doté de deux langues officielles, que les francophones et les anglophones aient accès — dans leur langue, il va sans dire — au plus vaste choix possible d'émissions de radio et de télévision. Or un trop grand nombre de nos collectivités minoritaires ne disposent pas d'un tel choix. Leur sort intéresse au plus haut point le Commissaire aux langues officielles qui a fait part de ses préoccupations au Comité permanent des communications et de la culture, lui soumettant par ailleurs diverses propositions concrètes susceptibles de réparer ce qu'il faut bien appeler l'injustice.

La radio communautaire

La radiotélévision communautaire, nous le soulignions l'an dernier, peut être « un excellent moyen d'expression et de communication pour les collectivités et les groupes minoritaires », lesquels ne sont guère choyés par nos grandes chaînes de télédiffusion.

Ce fut donc pour nous un vif plaisir de voir le CRTC accueillir favorablement les demandes de trois groupements minoritaires. D'abord, en mars dernier, Radio-Péninsule recevait l'autorisation de desservir le nord-est du Nouveau-Brunswick. Fait à souligner, c'était la première radio communautaire de langue française à voir le jour en dehors du Québec. Vint ensuite, en juillet, l'octroi d'une licence à Épinette Noire, qui devenait la première radio communautaire francophone en Ontario. Et, comme le dit l'adage, jamais deux sans trois. En octobre 1987, La Radio Communautaire de Rivière Saint-Augustin inc., au Saguenay, voyait son projet agréé par le CRTC ; ce qui faisait d'elle la première radio communautaire de langue anglaise au Québec.

Tout porte à croire qu'il ne s'agit là que d'un début, car le Secrétariat d'État s'est engagé à favoriser la création de stations communautaires francophones et anglophones. Il a même mis sur pied à cette fin un programme d'aide de 5,6 millions de dollars sur cinq ans. S'il faut féliciter le Secrétariat d'État de cette heureuse initiative, il faut aussi louer la Fédération des jeunes Canadiens français

qui a su convaincre les collectivités régionales et locales aussi bien que les pouvoirs publics de l'importance stratégique pour l'épanouissement des groupements minoritaires de la radio communautaire.

Les Jeux olympiques de Calgary et les minorités francophones

Notre chronique annuelle sur la radiotélédiffusion ne saurait passer sous silence un grave impair que le Commissaire aux langues officielles a estimé de son devoir de porter à l'attention du Comité permanent des communications et de la culture, soit les carences de la diffusion française des Jeux olympiques de Calgary. Cette malencontreuse affaire a débuté en 1984, au moment où le Comité organisateur des Jeux olympiques (COJO) a octroyé à CTV et au réseau TVA (Télé-Métropole) les droits de diffusion sans exiger que cela se fasse dans les deux langues officielles au bénéfice de tous les Canadiens. Guidé, semble-t-il, par un souci d'économie, le COJO ne s'est pas préoccupé de savoir si les diverses collectivités francophones hors du Québec étaient en mesure de capter le signal de TVA. Or la plupart d'entre elles ne le pouvaient pas et en sont toujours incapables. Si les choses en étaient restées là, elles n'auraient eu droit, dans leur langue, qu'aux cérémonies d'ouverture et de clôture, et qu'à un résumé quotidien d'une heure à l'antenne de Radio-Canada ; ce qui d'ailleurs n'a été décidé qu'en fin d'année. En outre, ce n'est qu'à un mois de l'ouverture des Jeux que le CRTC a autorisé 53 télédistributeurs de l'extérieur du Québec à retransmettre le signal du réseau TVA. Il y a sans doute lieu de se réjouir de cette décision pour les abonnés au câble ; mais les autres, les non-abonnés, se verront obligés de suivre le déroulement des activités et des compétitions en anglais.

Comment expliquer que l'on se soit intéressé si tard à cette question, et qu'il ait fallu s'en remettre alors à l'improvisation, même brillante, pour y apporter une solution somme toute boiteuse. Il est également incompréhensible que le gouvernement du Canada — en l'occurrence l'un des principaux bailleurs de fonds — n'ait pas exigé dès le départ que l'octroi des droits de diffusion comporte pour les télédiffuseurs agréés l'obligation d'assurer la couverture complète des Jeux dans les deux langues officielles.

L'incongruité de la situation n'a pas échappé au Comité mixte permanent des langues officielles. Aussi a-t-il, dans son troisième rapport, recommandé au gouvernement d'adopter une politique puis d'émettre des directives claires et nettes en la matière. Il est en effet essentiel que le gouvernement fédéral — qui apporte souvent aux grandes manifestations populaires de ce genre un généreux appui financier — exige des responsables qu'ils mettent tout en œuvre pour refléter la dualité linguistique du pays. Il est également souhaitable que la nouvelle loi sur la radiodiffusion — présentement en gestation — garantisse, entre autres, que toutes les manifestations d'importance nationale soient diffusées dans les deux langues officielles partout au Canada.

Un système de télédiffusion équitable devrait assurer, dans toute la mesure du possible, un véritable choix de signaux de télévision en français et en anglais d'un océan à l'autre. La Société Radio-Canada, dont nul ne nie l'apport considérable

en faveur de nos minorités nationales, pourrait faire bien davantage, si on lui en donnait les moyens. À elle seule, cependant, elle ne pourra pas répondre à tous les besoins des francophones hors du Québec et des anglophones bilingues désireux de le demeurer. Il faudrait sérieusement envisager la création d'un deuxième réseau afin que tous les intéressés puissent échapper à l'alternative linguistique suivante : se contenter des signaux de Radio-Canada ou se brancher sur la télévision anglaise.

Le choix souhaité pourrait fort bien être offert par la transmission partout au pays des émissions du réseau TVA que capte déjà Cancom, ou encore des signaux du réseau canado-européen TV5, dès son lancement. Cela supposera, bien sûr, les efforts concertés du ministère des Communications, du Secrétariat d'État, du CRTC, de Radio-Canada, de TVA, des associations minoritaires et de la Canadian Parents for French. Il y aurait sans doute lieu de tenir une table ronde des organismes intéressés à cette question ou encore de la soumettre aux audiences d'un comité parlementaire approprié qui en examinerait tous les aspects.

Les nouvelles chaînes spécialisées

En novembre dernier, le CRTC décernait des licences à dix nouvelles chaînes spécialisées, dont cinq de français. Encore une fois, cependant, plusieurs minorités francophones ne bénéficieront pas des nouveaux services en français, car ils ne seront accessibles que dans la moitié est du pays. Bien entendu, la rentabilité a ses exigences. Il n'empêche qu'il est regrettable que ces services ne soient pas offerts partout au pays.

Dans le même dossier, la Société Radio-Canada s'est vu octroyer une licence l'autorisant à mettre sur pied un service national spécialisé d'information en langue anglaise. Pour ce qui est d'un service comparable en français, la décision du CRTC ne faisait obligation à la Société que d'en étudier la faisabilité. Le gouvernement a réagi à cette situation et a demandé à Radio-Canada, en janvier dernier, de faire en sorte que le service réponde aux attentes des deux groupes linguistiques et se conforme aux exigences de la politique de la télédiffusion à laquelle le gouvernement est en train de mettre la dernière main.

La nouvelle loi et les minorités nationales

Que retenir de ce qui précède, sinon que les besoins des minorités de langue officielle ne sont pas suffisamment pris en considération. Il est donc de la plus haute importance que la nouvelle loi sur la télédiffusion comporte des exigences précises en matière de service dans les deux langues officielles. Il faudra également que la politique qui en découlera poursuive les objectifs suivants :

- refléter le caractère distinct de la radio et de la télévision de langue française et de langue anglaise ;
- élargir l'éventail du choix en matière de radio et de télévision françaises et anglaises partout au Canada, et établir à cette fin des mécanismes de concertation appropriés ;
- favoriser le développement de la radio et de la télévision communautaires à vocation informative et culturelle ;

- faire en sorte que toutes les manifestations d'importance nationale soient télédiffusées en langue française et en langue anglaise partout au pays ;
- accroître le nombre et la qualité des productions régionales de radio et de télévision afin de donner aux collectivités francophones et anglophones de partout au pays des moyens modernes et efficaces d'expression, et inciter les réseaux nationaux à leur faire bon accueil.

Ces propositions s'inscrivent dans le droit fil de l'accord constitutionnel de 1987. En toute bonne logique, et au nom de l'équité, il faut exiger de notre système national de télédiffusion qu'il contribue à l'épanouissement de toutes et de chacune de nos communautés de langues officielles.

PARTIE V

Les langues officielles dans l'enseignement : répondre à la demande

Introduction : le renouveau du programme

Bien qu'au Canada, l'enseignement relève de la compétence des provinces, le gouvernement fédéral joue un rôle important, au moyen de son Programme des langues officielles dans l'enseignement, dans la promotion de l'égalité du français et de l'anglais dans les écoles. Aider les parents des minorités de langue officielle à procurer à leurs enfants un enseignement approprié dans leur langue et offrir aux jeunes Canadiens de meilleures occasions d'apprendre une seconde langue officielle, tels sont les objectifs de ce programme. Dans ce chapitre, nous en faisons l'historique, nous examinons ses répercussions et nous voyons comment il pourrait évoluer, au moment où les nouveaux engagements contenus dans le projet de loi C-72 visant la promotion des langues officielles dans l'enseignement soulignent son importance. Le lecteur, grâce à l'aperçu que nous lui donnons ensuite de l'apprentissage de la langue seconde dans chacune des provinces, pourra se faire une idée des principales questions qui se posent à cet égard au Canada. Dans cette introduction, nous traitons de l'interdépendance de l'enseignement dans la langue de la minorité et de celui de la langue seconde. On trouvera dans la partie IV un examen plus détaillé de l'enseignement dans la langue de la minorité, et un survol de la situation dans chaque province.

En matière d'enseignement, les Canadiens veulent ce qu'il y a de mieux pour leurs enfants. Pour les parents des collectivités minoritaires de langue officielle, cela signifie, entre autres, le droit de faire instruire leurs enfants dans leur langue maternelle, d'exprimer leur avis sur les programmes et de participer à la gestion de leurs écoles. Pour beaucoup, cela signifie également la possibilité pour les enfants d'apprendre les deux langues officielles. Que les raisons qu'ils invoquent soient économiques ou culturelles, ou les deux à la fois, il est apparu clairement en 1987 que les attentes des parents à cet égard évoluaient plus rapidement que les ressources, à la fois financières et humaines, dont dépend leur réalisation. Le temps est venu, à l'approche de la signature du nouveau protocole fédéral-provincial sur l'aide du gouvernement canadien à l'enseignement des langues officielles, de mesurer l'ampleur de cette question cruciale pour l'avenir de l'enseignement au Canada, et de dresser un plan à long terme. La perspective d'une nouvelle *Loi sur les langues officielles* ne peut que venir renforcer cette nécessité.

Le Programme des langues officielles dans l'enseignement

La création en 1970 du Programme des langues officielles dans l'enseignement — connu à l'origine sous le nom de Bilinguisme dans l'enseignement — faisait suite à la publication du rapport de la Commission royale d'enquête sur le bilinguisme et le biculturalisme et à l'entrée en vigueur de la *Loi sur les langues officielles* en 1969. Dès sa création, ce programme a eu pour double objectif d'encourager et de soutenir l'enseignement dans la langue maternelle à la minorité de chaque province et territoire, et d'offrir aux jeunes Canadiens des occasions réelles d'apprendre l'autre langue officielle.

Depuis dix-sept ans, plus de 2,8 milliards de dollars ont été versés par le gouvernement fédéral aux provinces et territoires suivant des ententes conclues entre eux pour la mise en œuvre du programme. Bien qu'à l'origine, son principal objectif ait été de les aider *à mettre en place et à compléter* l'infrastructure voulue, on reconnaît aujourd'hui que, particulièrement au cours des douze premières années de son existence, une part disproportionnée des fonds fédéraux a été consacrée au financement de programmes *bien établis* d'enseignement dans la langue de la minorité ou de la langue seconde, notamment au Québec (où l'on trouve la plus importante minorité linguistique du pays), plutôt qu'à offrir aux minorités francophones, plus démunies, de nouvelles occasions de poursuivre leurs études dans leur langue (voir les tableaux ci-dessous). À la suite de la signature, en 1983, d'un nouveau protocole de trois ans, certains critères de financement ont été révisés, ce qui a permis de redresser, au moins en partie, ce déséquilibre. La durée d'application de cette entente a par la suite été étendue jusqu'au 31 mars 1988, date à laquelle sera signée en principe un nouveau protocole.

Tableau V.1

Part de la contribution fédérale[a] au Programme des langues officielles dans l'enseignement affectée à l'enseignement dans la langue de la minorité

	Première entente[b] (1970-1983)		Seconde entente (1983-1987)	
Province	**(000 $)**	**%**	**(000 $)**	**%**
Québec	798 642	65,1	255 588	58,4
Provinces atlantiques	117 252	9,5	68 245	15,6
Ontario	273 625	22,3	99 281	22,6
Provinces de l'Ouest et Territoires	37 572	3,0	14 266	3,2
Total	**1 227 091**	**100,0**	**437 380**	**100,0**

Tableau V.2

Part de la contribution fédérale[a] au Programme des langues officielles dans l'enseignement affectée à l'enseignement de la langue seconde

	Première entente (1970-1983)		Seconde entente[b] (1983-1987)	
Province	**(000 $)**	**%**	**(000 $)**	**%**
Québec	154 604	51,1	53 950	27,8
Provinces atlantiques	18 062	5,9	26 503	13,6
Ontario	89 989	29,7	69 781	35,9
Provinces de l'Ouest et Territoires	39 622	13,1	43 797	22,5
Total	**302 277**	**100,0**	**194 031**	**100,0**

[a] Les chiffres touchant la première entente ont trait aux paiements formulaires ; ceux touchant la seconde entente représentent le soutien à l'infrastructure.

[b] Ces chiffres comprennent les programmes immersifs.

Source : Secrétariat d'État.

Aux termes de l'accord actuel, les subsides fédéraux sont censés servir à payer une partie des frais *supplémentaires* afférents à quatre fins différentes : le soutien à l'infrastructure des programmes et aux services permanents, l'expansion et l'amélioration des programmes, la formation et le perfectionnement des professeurs, et l'aide aux étudiants. À cela viennent s'ajouter deux programmes nationaux destinés aux étudiants inscrits au postsecondaire et administrés par le Conseil des ministres de l'Éducation du Canada en collaboration avec les ministères de l'Éducation des provinces et des territoires. Le Programme de bourses d'été permet aux étudiants de suivre des cours intensifs dans l'autre langue officielle du Canada, et aux étudiants des minorités francophones hors du Québec de parfaire la connaissance de leur langue maternelle. Les étudiants qui désirent travailler à titre d'adjoint d'enseignement en anglais langue seconde, ou en français langue maternelle ou seconde, à tous les niveaux, à l'extérieur de leur collectivité, peuvent se prévaloir, s'ils le désirent, du Programme de moniteurs de langues officielles.

Une étude indépendante du Programme

En 1985, le Secrétariat d'État a commandé une étude du Programme des langues officielles dans l'enseignement à la société Peat, Marwick et associés qui l'a effectuée en collaboration avec M. Stacy Churchill, spécialiste de l'Institut d'études pédagogiques de l'Ontario. Achevée à la fin de 1986, cette étude a donné lieu à un rapport, paru fin mai, dans lequel les auteurs soulignent l'importance du programme et signalent les progrès réalisés et les problèmes qu'il suscite au chapitre de l'enseignement offert dans la langue maternelle aux minorités et à celui du nombre des étudiants désireux d'apprendre l'anglais ou le français langues secondes.

Des signes de progrès

Depuis 1970, l'enseignement des langues officielles a subi un certain nombre de modifications importantes. Des programmes de français plus ou moins élaborés destinés aux étudiants francophones ont fait leur apparition dans les provinces et territoires à population majoritairement anglophone qui, à la fin des années 60, n'en offraient pratiquement aucun. Au Nouveau-Brunswick, et tout récemment en Ontario, une nouvelle politique reconnaît pleinement le droit des parents du groupe linguistique minoritaire à l'éducation de leurs enfants en français, en plus d'autoriser la gestion, par les francophones, des écoles françaises ; la minorité anglophone du Québec jouissait d'un droit équivalent depuis les débuts de la Confédération.

Dans certaines régions du pays, la création de programmes immersifs en français, auxquels plus de 200 000 jeunes anglophones sont à présent inscrits, a profondément transformé l'enseignement du français langue seconde. Dans nombre de provinces, l'enseignement de la seconde langue officielle est obligatoire au primaire. Une étude nationale sur les programmes cadres de français destinée à améliorer l'enseignement de base de cette langue a suscité la participation des dix provinces. La plupart d'entres elles veillent également à la formation des enseignants, à l'amélioration des programmes et à d'autres activités de soutien connexes aux deux principaux aspects de ce programme.

Il est évident que ce progrès témoigne d'un consensus de plus en plus grand sur l'importance de l'enseignement des langues officielles. L'augmentation de la demande en provenance à la fois des provinces et des conseils scolaires ne laisse aucun doute à ce sujet. Les auteurs du rapport Peat et Marwick ont noté l'immense attente du public à l'égard du Programme des langues officielles dans l'enseignement et des services connexes : « De grands pas ont été faits ; toutefois, les attentes du public se sont accrues plus vite que les progrès réalisés, d'où l'insatisfaction des personnes intéressées au programme[1]. » On constate toutefois des différences d'une région à l'autre quant aux demandes et aux attentes des parents. Dans certaines régions et pour certains parents, il faut partir à zéro, tandis que dans d'autres, il s'agit simplement d'améliorer des services existants.

Les francophones hors du Québec

En dépit des progrès réalisés, le réseau de classes et d'écoles destinées aux francophones demeure incomplet, de sorte que bon nombre d'enfants se voient encore refuser l'accès à l'enseignement dans leur propre langue officielle. Dans certaines écoles théoriquement de langue française à l'extérieur du Québec, l'enseignement des matières ne se fait que partiellement en français. Bien que dans la plupart des conseils scolaires, la politique établisse clairement la distinction entre les programmes destinés à la minorité en français et les programmes d'immersion en français, il arrive que les autorités locales ne se conforment pas aux directives provinciales ; par conséquent, bien des élèves francophones se retrouvent dans des classes où l'enseignement est pensé en fonction des besoins des anglophones. Ainsi, à l'extérieur du Nouveau-Brunswick, de l'Ontario et du Manitoba, selon une étude de la Commission nationale des parents francophones, seulement 8,4 p. 100 de la clientèle scolaire francophone visée par l'article 23 de la Charte est inscrite actuellement à l'école française.

En dehors de l'Ontario et du Nouveau-Brunswick, peu de solutions ont été apportées au problème essentiel de la gestion des écoles de la minorité. Parents et chercheurs s'inquiètent également des conséquences d'un enseignement inadéquat sur le taux de scolarisation des francophones minoritaires. Selon un rapport publié en novembre 1985 par le Conseil de l'éducation franco-ontarienne, le pourcentage plus élevé de décrocheurs parmi les étudiants francophones du secondaire par rapport aux élèves anglophones serait attribuable à un enseignement en français inadéquat en Ontario. Toujours selon ce rapport, les programmes de français dans les écoles bilingues s'en trouvent « énormément appauvris », et le pourcentage de décrocheurs francophones dans ces écoles est le plus élevé de tout le système d'enseignement en langue française de la province.

Le français langue seconde

Bien que la plupart des Canadiens s'entendent sur l'importance de l'apprentissage de la deuxième langue officielle, selon les statistiques les plus récentes, à l'extérieur du Québec (l'étude de l'anglais étant obligatoire dans les écoles françaises du Québec) les pourcentages de participation s'établissent à 54 p. 100 à l'école primaire, et à 47 p. 100 à l'école secondaire. Depuis 1970-1971, la participation aux

[1] Rapport final de l'évaluation du Programme des langues officielles dans l'enseignement (1970-1985) préparé par Peat, Marwick et associés, en collaboration avec M. Stacy Churchill, mai 1987.

programmes de français langue seconde à l'école secondaire a baissé de 10 p. 100. L'une des causes de ce déclin est certainement la suppression dans certaines provinces de l'obligation d'apprendre le français pour obtenir un diplôme d'études secondaires ou avoir accès à l'université.

Aux yeux de bien des parents, les programmes d'immersion en français sont une solution de rechange attrayante et innovatrice aux programmes cadres. Leur vogue est telle que, dans certains cas, la demande dépasse les moyens des écoles. Pour la plupart des étudiants canadiens, toutefois, la seule façon d'apprendre le français ou l'anglais demeure un programme cadre de langue seconde. Rien ne permet en soi de considérer ce programme comme inférieur ; bon nombre de pays européens ont ainsi formé, depuis des générations, des diplômés qui savent maîtriser une autre langue. Ce qu'il faut aux étudiants, c'est principalement la possibilité d'utiliser cette langue ; les occasions ne manquent pas au Canada, comme en fait foi la demande croissante en matière d'échanges d'étudiants. Il est également important de pouvoir compter sur des enseignants bien formés qui utilisent des méthodes modernes. À cet égard, nous attendons avec impatience la parution des conclusions de l'Étude nationale sur les programmes cadres de français en novembre prochain. Toutefois, l'accès à de bons programmes d'enseignement de la langue seconde pour tous les enfants demeure à l'heure actuelle problématique, tout comme la poursuite de l'apprentissage de la langue seconde d'un niveau à l'autre, particulièrement au sein d'un même conseil scolaire. Dans certains cas, le transport des élèves et le financement posent des problèmes.

Les anglophones du Québec

Le système d'éducation des anglophones du Québec fait face à de nouveaux défis. Ce sont la baisse des inscriptions, d'une part, et des modifications dans la répartition globale des étudiants français et anglais, d'autre part. Si l'on désire maintenir la qualité et l'homogénéité du système anglophone, il sera nécessaire d'apporter des changements aux modalités de financement, à la gestion et à la structure globale du système.

La pénurie d'enseignants

Le manque de professeurs de français est tel qu'on se demande de plus en plus combien on pourra en embaucher ou en former. Tandis que les inscriptions à l'immersion ne cessent d'augmenter, le nombre des étudiants inscrits dans les départements d'éducation du Canada qui comptent y faire carrière diminue. En Colombie-Britannique, où l'on estime avoir besoin de 200 professeurs de cours immersifs de plus en 1988, il n'y a que 60 étudiants, dans les universités de la province, qui se destinent ce type d'enseignement. Celui-ci nécessite une excellente maîtrise de la langue française, et il n'est guère facile d'envisager la possibilité de recycler les professeurs anglophones en fonction des programmes immersifs. On risquerait d'ailleurs d'en abaisser la qualité. Des besoins se font sentir également du côté de la formation permanente des professeurs affectés au programme cadre de français, de l'amélioration de la formation initiale, de la formation en cours de carrière et du recyclage des professeurs de langue seconde.

Cette situation n'est pas nouvelle. Nombre de ces faits ont été exposés dans nos rapports précédents, ainsi que dans des études comme celle du professeur Pierre Foucher, *Les droits scolaires constitutionnels des minorités de langue officielle du Canada* (décembre 1985), et le rapport de Peat et Marwick, entre autres. Ces travaux ont permis d'établir que les solutions partielles et l'improvisation ont nettement fait leur temps. Nous voici au pied du mur ; il nous faut concentrer nos efforts sur une planification coordonnée du système d'éducation, permettant de concilier les divers intérêts et de dresser un plan touchant les aspects pédagogiques et la gestion de l'enseignement des langues officielles à long terme.

L'essentiel

Pour reprendre les termes mêmes de l'accord du lac Meech, l'existence de communautés minoritaires de langue officielle constitue une « caractéristique fondamentale du Canada ». Toutefois, pour bon nombre de ces communautés, les chances de survie jusqu'au XXI[e] siècle et au-delà dépendent de l'accès à la qualité d'enseignement promise par l'article 23 de la *Charte canadienne des droits et libertés*. Pourtant, le dynamisme de ces communautés est essentiel non seulement pour elles-mêmes mais pour tous les Canadiens. À quoi servirait d'apprendre parfaitement une autre langue, que ce soit le français ou l'anglais, si les minorités elles-mêmes ont peine à survivre ? Le fait est que la reconnaissance du français progresse pendant que la population française à l'extérieur du Québec décline ou s'anglicise. C'est l'un des paradoxes que connaît aujourd'hui le Canada, paradoxe qui mine la raison d'être de nos programmes de français langue seconde en pleine expansion.

Pour conserver cet atout national, il faudra que nos institutions y mettent du leur et qu'elles investissent de manière appropriée et opportune dans l'enseignement de la langue minoritaire. Ce n'est pas par hasard que le taux des transferts linguistiques du français à l'anglais est le plus élevé là où il est le plus difficile de fréquenter une école française. La Saskatchewan et Terre-Neuve en sont deux exemples marquants. Les minorités francophones ont des besoins nombreux : la création ou l'expansion des services, l'accès à la recherche sur divers systèmes d'enseignement et de gestion, les programmes scolaires et le matériel didactique adapté à leurs besoins, et par-dessus tout, un personnel enseignant qualifié. En plus de dispenser l'enseignement, l'école constitue souvent le point de mire de la communauté. Elle est à la fois symbole de vitalité et d'espoir de croissance. Loin d'être un luxe, l'enseignement de la langue maternelle est la première condition de sa survie. Il ne suffit pas de se contenter d'un enseignement quelconque ; cet enseignement doit pouvoir remplacer véritablement et avantageusement l'enseignement dans la langue de la majorité, et être perçu comme tel par la minorité.

Confrontés à des besoins pressants en matière d'enseignement dans la langue de la minorité et à des pressions de plus en plus fortes en vue d'améliorer l'enseignement de la langue seconde, au moyen, en particulier, des cours immersifs, les administrateurs se retrouvent dans la position peu enviable d'avoir à calculer le coût d'objectifs nationaux qui entrent en concurrence. Le financement

du Programme des langues officielles dans l'enseignement est principalement assuré par les contributions fédérales fondées sur le nombre d'inscriptions et les contributions à frais partagés avec les provinces et les territoires pour des projets et activités spécifiques. Étant donné l'augmentation rapide dans certaines régions des inscriptions aux cours de langue seconde, et en particulier aux programmes immersifs, et l'augmentation beaucoup plus lente, voire dans certains cas la diminution, des inscriptions dans les écoles de la minorité, il semble impossible, de prime abord, d'éviter un certain déséquilibre ou même un conflit dans la répartition des fonds selon la formule actuelle. Par exemple, en Alberta, les inscriptions à l'immersion en français en 1986-1987 s'élevaient à 21 350, tandis que celles des écoles françaises n'atteignaient que 1 500. Même si le versement par personne est plus élevé pour les étudiants minoritaires, n'oublions pas que les ressources fédérales et provinciales ne sont pas inépuisables et que la valeur monétaire réelle de celles-ci a eu tendance à baisser au cours des années 80.

Comment ne pas conclure, comme l'ont fait Peat et Marwick, qu'il faut accroître les fonds du Programme des langues officielles dans l'enseignement si l'on veut tenir les promesses de la Constitution envers les minorités sans refuser à la majorité l'enseignement de la langue seconde qu'elle requiert et qu'elle est en droit de demander. On s'accorde généralement à dire qu'étant donné la santé plus ou moins chancelante des collectivités de langue officielle du Canada, le programme doit s'occuper en priorité des droits en matière d'éducation garantis aux minorités de langue officielle par l'article 23 de la *Charte canadienne des droits et libertés*. **En conséquence, nous recommandons une augmentation des fonds consacrés au Programme des langues officielles dans l'enseignement, et les modifications qui s'imposent pour satisfaire pleinement les besoins des minorités et offrir à tous les Canadiens des occasions réelles d'apprendre une seconde langue officielle.**

S'il est impossible d'obtenir des fonds supplémentaires, il semble logique d'exiger une augmentation des fonds consacrés à l'expansion de l'enseignement de la langue de la minorité même si cela a malheureusement pour conséquence de ralentir temporairement l'expansion de l'apprentissage de la langue seconde. Cette solution ne nous sourit guère car elle entrerait manifestement en contradiction avec les principes linguistiques établis dans le projet de loi C-72 au moment où la nécessité d'affirmer les valeurs canadiennes est plus impérieuse que jamais.

Exigences en matière de planification

L'injection de fonds supplémentaires n'est pas par ailleurs une panacée. Le genre de crise en puissance dont fait état le rapport Peat et Marwick exige une analyse approfondie des tendances et un effort soutenu d'ajustement des programmes afin de répondre le mieux possible à l'augmentation de la demande. Comme nous l'avons souligné l'an dernier, le besoin de planifier cet enseignement se fait sentir à *tous* les niveaux, qu'ils soient fédéral, provincial ou local, si nous voulons tenir compte des besoins différents et des problèmes particuliers de chaque région, qu'il s'agisse de pénurie de professeurs, de manque de matériel ou de l'éloignement des étudiants. Il faut non seulement trouver des solutions aux problèmes du manque

d'enseignants, de la croissance des programmes immersifs et de la qualité des programmes cadres, mais aussi le faire au sein d'un cadre de planification et de coordination unique dont nous devons aujourd'hui regretter l'absence.

Un chef de file

Aux yeux des Canadiens, le gouvernement fédéral doit faire montre de leadership. Nous encourageons donc le Secrétariat d'État, conformément au mandat que lui confère le projet de loi C-72, à jouer un rôle beaucoup plus actif dans le domaine des langues officielles dans l'enseignement.

Recommandations

Nous recommandons, en raison des problèmes qui se posent au Québec, que les dispositions existantes sur le plan législatif, voire même constitutionel, soit modifées afin de permettre le regroupement des écoliers en fonction de la langue.

Nous recommandons que le Secrétariat d'État encourage la collecte et la diffusion d'information sur l'enseignement des langues officielles et sur sa planification, et mette cette information à la disposition des personnes intéressées par le Programme des langues officielles dans l'enseignement dans chacune des provinces.

Afin d'aider les administrations scolaires à planifier l'enseignement des langues officielles et permettre aux parents de faire un choix éclairé, nous recommandons particulièrement que le Secrétariat d'État travaille en étroite collaboration avec le Conseil des ministres de l'Éducation du Canada, les ministres provinciaux, les associations, entre autres, de parents et de commissaires à la réalisation des projets suivants :

- **La mise au point de modèles de gestion en vue de l'enseignement dans la langue maternelle aux minorités, dans divers contextes provinciaux et locaux.**
- **La préparation d'un guide destiné aux parents et autres personnes intéressées par les programme, qui souligne les objectifs de l'enseignement de la langue maternelle aux minorités et établit ce qui le distingue de l'immersion et des autres formes d'enseignement de la langue seconde, sans oublier diverses questions pratiques entourant ce choix : gestion des écoles, critères d'admission, transport, etc.**
- **La préparation d'une documentation semblable destinée aux parents et autres intéressés, donnant les diverses solutions pédagogiques en matière d'enseignement de la langue seconde qui leur sont ou pourraient leur être offertes ; ce guide traiterait, entre autres, de l'âge « idéal » pour apprendre une langue seconde et des effets de la durée d'apprentissage et du contenu des programmes.**

L'enseignement de la langue seconde : d'une province à l'autre

Il arrive que l'enseignement de la langue seconde soit relié à l'enseignement aux minorités dans la langue maternelle. Nous aborderons, lorsque c'est le cas, ces deux aspects simultanément. Les questions relatives à l'enseignement dans la langue de la minorité sont traitées plus en détail dans la partie IV.

La Canadian Parents for French

Tous ceux et celles qui s'intéressent à l'enseignement des langues officielles au Canada comprendront pourquoi il est souvent question de la Canadian Parents for French dans ce chapitre. Constituée à l'origine de 30 personnes qui, à partir de 1977, se sont mises à s'informer mutuellement de tous les aspects de l'enseignement du français langue seconde et des échanges d'étudiants, cette association nationale compte aujourd'hui plus de 17 000 adhérents répartis dans des sections locales un peu partout au Canada. Elle jouit d'une telle réputation dans le domaine de la langue seconde que le gouvernement fédéral et le Comité mixte permanent des langues officielles la consultent régulièrement à propos de dossiers comme la révision de la *Loi sur les langues officielles* et la modification du Programme des langues officielles dans l'enseignement. Chaque année, la Canadian Parents for French parraine le Festival national d'art oratoire ; cette manifestation est très prisée. En 1988, elle en sera à sa cinquième édition. Il s'agit d'une série de concours qui débutent dans chaque classe par des exposés et conduisent finalement les vainqueurs à une joute provinciale. Les lauréats des plus hautes classes sont admis au festival hors compétition qui a lieu à Ottawa à la fin du printemps.

Cette année, la principale publication de la Canadian Parents for French était intitulée « *French: It Makes a Difference* ». Il s'agit d'une trousse de renseignements indiquant aux anglophones bilingues les possibilités qui leur sont offertes de poursuivre des études postsecondaires en français dans chacune des provinces. Étudiants, parents et éducateurs ne peuvent manquer d'apprécier ce dossier fort bien rédigé et remarquablement étayé d'une association qui occupe l'avant-scène par ses efforts en vue d'assurer l'égalité des langues officielles dans le domaine essentiel de l'enseignement.

Terre-Neuve

La province met les bouchées doubles pour satisfaire ses besoins futurs en matière d'enseignement du français. En 1986, le ministre de l'Éducation créait un comité consultatif des programmes de français, présidé par un de ses fonctionnaires et composé de représentants d'associations de parents et d'écoles, de conseils scolaires, de groupements d'enseignants, de la Fédération des Francophones de Terre-Neuve et du Labrador et de la Canadian Parents for French. Ce comité a été chargé non seulement d'étudier les programmes de français de la province, mais aussi de recommander des règles de conduite et une orientation des cours, en rapport notamment avec l'application de l'article 23 de la *Charte canadienne des droits et libertés*, les attentes de la population et leur coût de financement. En septembre 1987, ce comité a déposé un rapport détaillé, dont voici les principales recommandations :

- un plan quinquennal de développement;
- l'obligation d'apprendre le français de la quatrième à la neuvième année;
- l'instauration de programmes d'immersion longue et courte en français, ainsi que d'un programme cadre enrichi au niveau secondaire;
- la concentration des efforts sur le développement du programme cadre de français au cours des cinq prochaines années.

Selon les auteurs de ce rapport, le manque de professeurs de français qualifiés constitue le principal défi que doit relever la province ; ces mêmes auteurs recommandent au ministère de l'Éducation la mise sur pied d'un programme de recyclage des professeurs de français, en collaboration avec l'Université Memorial, la Newfoundland Teachers' Association et les conseils scolaires. Ils proposent également d'étendre l'application du programme d'immersion en français, ainsi que du programme de français langue maternelle. Vers la fin de l'année, le ministre donnait son accord de principe au rapport tout en souhaitant étudier les réactions des conseils scolaires avant de mettre en pratique la plupart des recommandations. Déjà, des mesures avaient été prises afin d'assurer la formation en langue française des enseignants à l'Université Memorial ainsi qu'au Frecker Institute de Saint-Jean.

Île-du-Prince-Édouard

À l'Île, la demande de programmes immersifs est élevée. Dans les zones urbaines, même s'il faut assurer le transport de certains élèves jusqu'à des écoles situées en dehors de leur localité, il est en général possible de satisfaire à cette demande. Dans les régions rurales, toutefois, la création de cours immersifs cause des problèmes en raison du nombre restreint d'élèves; de plus en plus, on semble croire que ces cours ne peuvent être viables dans certaines parties de la province. Bien qu'aux termes de la *Loi scolaire*, le français ne soit pas une matière obligatoire, toutes les écoles doivent offrir des cours de français de la quatrième

à la neuvième année. Quelque 95 p. 100 des élèves de ces classes choisissent de suivre un cours de français. Environ 16 p. 100 de ceux-ci seraient inscrits dans des programmes immersifs.

En décembre, la ministre de l'Éducation annonçait la publication d'un plan quinquennal pour l'enseignement primaire et secondaire à l'Île-du-Prince-Édouard. Une politique de l'enseignement du français, langue maternelle et langue seconde, en constitue l'un des principaux éléments. Le Ministère a créé une division des services éducatifs en français et l'a chargée de mettre sur pied des programmes de français langue maternelle et langue seconde. Selon le ministère de l'Éducation, l'introduction de ces changements résulte des préoccupations exprimées par les parents francophones et anglophones à l'égard de la qualité des programmes. Des ressources humaines et matérielles accrues amélioreraient le développement et la coordination des services pédagogiques en langue française.

Nouvelle-Écosse

L'impression générale est que l'on progresse lentement mais sûrement. Bien que la section néo-écossaise de la Canadian Parents for French signale une hausse importante des adhésions récemment, la croissance relative des programmes immersifs accuse toujours un certain retard par rapport aux autres provinces. En Nouvelle-Écosse également, il est devenu nécessaire d'améliorer les programmes cadres. L'enseignement du français y est obligatoire de la quatrième à la sixième année mais, dans certains cas, particulièrement dans les régions rurales, l'infrastructure nécessaire à des programmes de qualité fait défaut. En 1987-1988, il n'y a que 3 p. 100 des élèves inscrits aux cours de français langue seconde qui suivent ces cours en immersion.

En 1984, la section néo-écossaise de la Canadian Parents for French a effectué un sondage auprès des professeurs de français de la province. Nombre d'enseignants ont estimé ne pas avoir toute la compétence voulue pour enseigner le français et ne pas recevoir du ministère de l'Éducation le soutien nécessaire à leur perfectionnement. Des représentants des universités Dalhousie, Mount Saint-Vincent et Saint Mary, du ministère de l'Éducation, des associations d'enseignants et de la Canadian Parents for French se sont penchés sur ces questions et ont pris l'initiative de se rencontrer pour discuter de la planification à long terme et de la coordination des programmes de français.

En juin 1987, le ministre de l'Éducation publiait à titre de document de travail le rapport du comité consultatif sur l'enseignement dans les écoles publiques. On y recommande notamment de modifier l'organisation et la structure des programmes de la dixième à la douzième année, et d'y inclure un cours obligatoire de français donnant droit à un crédit ; selon le comité, cette suggestion pourrait avoir des répercussions considérables sur l'étude du français au premier cycle du secondaire.

Nouveau-Brunswick

Au mois de juillet, le ministère de l'Éducation a décidé de différer l'examen de l'enseignement de la langue seconde dans les écoles anglaises dont nous avions fait mention l'an dernier. Le ministre responsable à cette époque avait déclaré que les programmes cadres normaux et enrichis, ainsi que les programmes d'immersion en langue française fonctionnaient bien, et qu'il souhaitait examiner divers points de vue avant de décider de procéder ou non à leur révision. Nous pensons encore qu'une étude globale sur la façon d'ajuster les différents programmes de français langue seconde s'impose, et nous espérons que la nouvelle ministre partagera notre point de vue.

Le 3 juillet, la Cour d'appel du Nouveau-Brunswick confirmait une décision rendue en 1983 par le juge Guy Richard selon laquelle les cours d'immersion en français avaient été conçus pour enseigner une langue seconde aux anglophones et non pour les étudiants francophones. Cette décision, qui portait principalement sur la compétence des conseils scolaires français et anglais, empêchera en pratique les parents francophones de faire inscrire à l'avenir leurs enfants dans les programmes immersifs des écoles anglophones. (À l'origine, la Société des Acadiens du Nouveau-Brunswick avait porté l'affaire devant les tribunaux parce que ses membres estimaient que le fait d'autoriser les francophones à choisir l'immersion en français dans le système anglais allait favoriser leur anglicisation.) Il revient à présent aux parents de décider si leur enfant est francophone ou anglophone et de choisir le système scolaire approprié. Les francophones conservent le droit d'inscrire leur enfant dans une école anglaise si ce dernier connaît bien l'anglais et suit le programme régulier.

En 1981, les écoles bilingues étaient abolies par la *Loi scolaire* en faveur de deux administrations distinctes, l'une française et l'autre anglaise. L'instauration de ce double système a dynamisé l'enseignement de la langue seconde. On y remarque partout beaucoup de souplesse dans la façon d'enseigner les deux langues officielles.

Dans le système scolaire français, trois districts font l'essai de nouvelles méthodes d'enseignement « enrichi » de l'anglais. Ce test durera deux ans. Si les résultats s'avèrent positifs, le programme sera implanté dans l'ensemble de la province, mais à des niveaux différents. Là où la présence francophone se fait davantage sentir, il débutera plus tôt qu'ailleurs. Parce qu'on est préoccupé par l'anglicisation des jeunes francophones, l'étude de l'anglais ne commence qu'en troisième année. Les enfants reçoivent alors un cours d'anglais par jour. Pour tenir compte de leur aptitude, ils sont divisés en deux groupes. Au niveau A, on enseigne les rudiments de l'anglais. Les élèves de niveau B, étant donné qu'ils connaissent davantage la langue, sont autorisés à suivre quelques cours d'anglais dispensées à l'école anglaise.

Dans le secteur anglais, le français est devenu matière obligatoire dès la première année en 1987. Cette politique s'est traduite par un enseignement quotidien de

la langue dans toutes les classes du primaire. Tous les étudiants du secondaire doivent obtenir un crédit en français et sont encouragés à suivre au moins un autre cours dans cette langue. Dès septembre 1988, la traduction en langue française des manuels traitant des provinces Maritimes et destinés aux étudiants en immersion sera disponible. Il est également prévu de mettre sur pied un programme cadre enrichi destiné à tous les élèves du primaire. Des 27 districts scolaires anglais de la province, 22 dispensent des cours immersifs, et quelque 15 p. 100 des élèves anglophones du niveau primaire y sont inscrits. Selon la politique du ministère de l'Éducation, les conseils scolaires doivent offrir des programmes immersifs s'il y a suffisamment d'élèves pour former une classe. Ils peuvent opter pour l'immersion courte ou longue. À l'heure actuelle, 10 740 écoliers sont en immersion longue, soit dès la première année, et 5 277 autres suivent des cours d'immersion courte, à partir de la septième.

Par suite de la publication du rapport Stern, qui insistait sur la nécessité de mieux former les enseignants et que nous avons largement commenté l'an dernier, l'Université du Nouveau-Brunswick à Fredericton a créé un centre de formation destiné aux professeurs de français langue seconde. Tous ceux des programmes cadres et immersifs, en quelque classe qu'ils enseignent, y sont admis depuis cette année.

Québec

L'enseignement du français et de l'anglais langues secondes revêt une importance toute particulière au Québec. Pour les francophones, il s'agit de donner à leurs enfants une certaine connaissance de l'anglais sans que cela se fasse au détriment de la langue maternelle. Pour les anglophones, la connaissance de l'autre langue leur permettra de participer pleinement à la vie de la communauté.

Pendant que des rapports inquiétants sur la qualité de l'enseignement en langue française dans les écoles du Québec tiennent les esprits en éveil, le débat reste vif sur le moment opportun de commencer les cours d'anglais langue seconde dans les écoles primaires. Présentement, dans certaines écoles du Québec, on consacre souvent moins de 120 minutes par semaine à l'anglais. Ce fait préoccupe certains francophones qui jugent essentiel pour leurs enfants de bien connaître l'anglais. Dans son numéro d'avril 1987, *L'Actualité* a présenté les deux côtés de la médaille sous forme d'entrevues avec le directeur des études à la Commission des écoles catholiques de Montréal (CECM), André Langevin, et un linguiste de l'Université de Montréal, Gilles Bibeau. De l'avis de M. Langevin, ce que souhaitent au fond les parents, c'est de voir leurs enfants réussir dans la vie, et le bilinguisme est, à leurs yeux, un ingrédient essentiel de ce succès. Les anglophones, estime-t-il, sont de plus en plus bilingues ; la plupart des allophones parleront même trois langues et ils vont prendre le dessus sur les francophones.

Se rangeant du côté des opposants aux cours d'anglais avant la quatrième année, M. Bibeau soutient que « ce n'est pas à raison d'une heure ou deux par semaine qu'on apprend une langue seconde. Le primaire doit d'abord donner une solide

formation de base. Il y a déjà trop de matières. Pour donner de l'anglais, il va falloir couper dans l'essentiel. Et moins on passe de temps dans la langue maternelle, moins on la possède. Les études plus récentes démontrent que les élèves du secondaire apprennent l'anglais plus facilement et plus vite que ceux du primaire. »

Les élèves des communautés culturelles commencent à préférer la Commission scolaire protestante du Grand Montréal à la CECM, notamment parce qu'on y accorde plus d'heures à l'anglais. (À la Commission scolaire protestante du Grand Montréal, on enseigne l'anglais dès la première année, tandis qu'à la CECM, il faut attendre la quatrième.) Selon certains articles consacrés à des relevés portant sur la durée maximale d'enseignement de l'anglais langue seconde, moins de la moitié des élèves reçoivent 120 minutes par semaine de la quatrième à la sixième année, malgré des directives ministérielles en ce sens.

Si le Conseil supérieur de l'éducation du Québec appuie le ministère de l'Éducation lorsque celui-ci propose d'augmenter l'enseignement de l'anglais dans les écoles françaises du Québec, c'est à la condition que l'on améliore le système actuel. Selon les conclusions d'études entreprises par le Conseil sur l'anglais langue seconde dans les écoles du Québec, il arrive que les enseignants ne maîtrisent pas bien cette langue, et que, dans certains cas, ils n'en fassent qu'un usage très restreint.

Dans une lettre ouverte adressée au ministre de l'Éducation, publiée dans son bulletin *SPEAQ OUT*, la Société pour la promotion de l'enseignement de l'anglais langue seconde au Québec fait les recommandations suivantes :

- que le temps prévu au 2e cycle du primaire, c'est-à-dire 120 minutes par semaine, soit vraiment alloué à l'anglais ;
- qu'un suivi soit assuré aux enfants qui profiteraient d'un apprentissage accéléré ;
- qu'un soutien soit apporté au perfectionnement des enseignants.

Entre-temps, dans les deux secteurs français et anglais, on propose des solutions de rechange aux programmes immersifs qui débouchent parfois sur des projets pilotes. C'est ainsi par exemple que le Committee for Anglophone Social Action (CASA) de la Gaspésie soutient la méthode du « jumelage ». Pendant un an des élèves francophones iraient fréquenter l'école anglaise. En retour l'école française accueillerait un nombre égal d'anglophones. Selon le CASA, cette solution permettrait au système scolaire anglais de bénéficier d'un certain soutien tout en procurant aux élèves la connaissance fonctionnelle de la langue seconde. Dans la région de Châteauguay, il existe un programme bilingue. En outre, quelques écoles montréalaises font l'essai d'une formule intéressante qui consiste pour l'écolier francophone de quatrième, cinquième et sixième à étudier en anglais la moitié de l'année.

Au Québec, comme dans d'autres provinces, la structure confessionnelle du réseau scolaire présente certaines difficultés en ce qui a trait à la langue. Au cours d'une entrevue accordée au *Devoir* en décembre, le premier ministre Robert Bourassa faisait part de l'intention de son gouvernement d'entreprendre une deuxième série de négociations constitutionnelles en vue d'obtenir des amendements à l'article 93 de la Constitution. Cela permettrait au Québec d'amender la *Loi sur l'instruction publique* afin de procéder à un réaménagement des commissions scolaires selon la langue et non plus selon la religion. Alliance Québec appuie cette restructuration, car elle estime que les anglophones risquent de devenir minoritaires au sein des commissions catholiques et protestantes si la Loi n'est pas modifiée. Dans le passé, les écoles et commissions scolaires protestantes étaient à prédominance anglophone.

Ontario

En septembre 1987, la directive 58 du ministère de l'Éducation est entrée en vigueur. Émise en 1986, cette directive impose à tous les conseils scolaires anglophones d'offrir 600 heures de français à tous les écoliers du primaire, de la quatrième année au plus tard jusqu' à la huitième. Il se peut que cette nouvelle politique vienne compliquer la tâche de certains conseils scolaires, mais la plupart ont déjà adopté depuis quelques années, avec l'encouragement du Ministère, des programmes cadres d'au moins 600 heures au primaire. En fait, certains imposent même l'apprentissage du français dès la première année. Cette directive n'a rien changé à l'obligation de posséder un crédit en français langue seconde pour l'obtention du diplôme ontarien d'études secondaires. Toutefois, on incite les étudiants à obtenir des crédits additionnels, et les conseils scolaires se voient obligés de proposer des cours de français jusqu'à la fin de la douzième année.

Le ministère de l'Éducation a publié de nouvelles exigences concernant les enseignants de langue seconde. À quelques exceptions près, seuls les enseignants reconnus par la province comme possédant les qualifications voulues pour enseigner le français langue seconde sont chargés de cette tâche. Le Ministère a également publié une nouvelle directive intitulée « Le français langue seconde ». On y indique les principes qui sous-tendent l'enseignement du français, le but des cours et leur contenu, ainsi que leur croissance de 1987 à 1996. On y répartit également les programmes en trois catégories : le programme cadre régulier, le programme cadre enrichi et le programme immersif. Le programme cadre régulier, qui comporte au minimum 1 080 heures de français pour toute la durée des études, est censé permettre aux diplômés ontariens de converser un peu en français, de lire un livre à l'aide d'un dictionnaire et de suivre les émissions de télévision qui les intéressent.

Le programme cadre enrichi doit comprendre 2 100 heures de français, et inclure l'enseignement de diverses matières *en* français. À la fin des cours, les étudiants sont capables, en principe, de converser sur des sujets qui leur sont familiers et ont une certaine connaissance de la culture des francophones du Canada. Enfin, un programme immersif de quelque 5 000 heures est censé leur permettre de vivre dans une collectivité francophone et d'accéder à un emploi pour lequel le français est la langue de travail, après une courte période d'orientation.

Les cours de français langue seconde n'ont rien perdu de leur attrait cette année en Ontario. Les conseils scolaires les ont accrus partout. Au mois de juin 1987, quelque 10 p. 100 de tous les élèves anglophones du primaire étaient inscrits en immersion. Quatre-vingt-six conseils scolaires, soit un pourcentage étonnant de 56 p. 100, offraient des cours immersifs, et 35 p. 100, des programmes enrichis. La province compte un million d'élèves anglophones au primaire. Or quelque 68,7 p. 100 d'entre eux suivaient des cours de français langue seconde, ce qui représente une augmentation de près de 4 p. 100 par rapport à l'an dernier.

La croissance rapide du français langue seconde a engendré quelques problèmes, et les conseils scolaires ont parfois été pris au dépourvu. À Hamilton cette année, le nombre de places en immersion était insuffisant, mais la vogue en était telle que certains parents ont fait la queue pendant 24 heures pour y inscrire leurs enfants. L'année dernière, le conseil de Dryden a offert deux programmes immersifs ; faute de fonds cependant, il a fallu les annuler cette année, ce qui a freiné l'apprentissage de la langue. D'autres conseils scolaires ont été confrontés a un problème de transfert d'écoliers inscrits à des cours de niveaux différents, d'une école à l'autre, au grand déplaisir des parents et des enfants. Ce fut le cas notamment à Peterborough et à Cornwall. En outre, le classement de certaines écoles comme centres d'immersion a engendré toutes sortes de difficultés de transport.

Si le ministère de l'Éducation a publié des directives détaillées sur l'enseignement du français langue seconde, peut-être a-t-il quelque peu négligé le problème complexe et délicat de l'enseignement de l'anglais langue seconde aux 100 000 élèves des écoles françaises de la province. Quoiqu'il ait clairement indiqué que l'enseignement de l'anglais était obligatoire dès la cinquième année, cette directive n'a été assortie d'aucune exigence numérique. En septième et huitième année, les francophones suivent chaque année de 60 à 120 heures d'anglais. Quoique, dans la plupart des conseils scolaires, cette norme minimale soit largement dépassée, il faut veiller à ce que les jeunes diplômés du secondaire maîtrisent suffisamment l'anglais pour se trouver un bon travail plus tard tout en leur permettant de conserver et d'enrichir leur langue maternelle.

Manitoba

L'étude du français langue seconde n'est pas obligatoire au Manitoba. Cet enseignement doit toutefois être offert de la quatrième à la douzième année, dans les divisions scolaires qui ont opté pour le programme. Les inscriptions aux cours immersifs ne cessent de croître, et l'accès y est de plus en plus facile à mesure que les divisions scolaires s'apprivoisent à l'idée. Quelque 16 p. 100 des élèves qui étudient le français langue seconde suivent des cours immersifs. Selon la Canadian Parents for French, les questions de fond relatives aux cours immersifs ont été réglées. À l'heure actuelle, cette association travaille en collaboration avec de nombreux conseils scolaires à l'évaluation des programmes immersifs, et étudie, par exemple, le pourcentage des décrocheurs de ces programmes au secondaire. Dans la région métropolitaine de Winnipeg, un certain nombre de conseils scolaires

envisagent la possibilité de regrouper les étudiants pour leur offrir une gamme plus étendue de cours immersifs. Entre-temps, en raison de l'augmentation du nombre d'étudiants du secondaire optant pour les cours immersifs, la division scolaire de Saint-Vital a annoncé l'ouverture, en septembre 1989, d'une école secondaire d'immersion.

Malheureusement, la controverse entourant le transport des écoliers en immersion de leur maison à des écoles éloignées demeure vive. Un arrêt de la Cour du Banc de la reine favorable à des parents de Thompson dans une affaire qui les opposait au conseil scolaire de Mystery Lake relativement à une accusation de traitement injuste des élèves en immersion française, par suite du refus du Conseil d'assumer leurs frais de transport, a été renversé en août 1986 par la Cour d'appel. Ayant porté leur affaire devant la Cour suprême du Canada, ces parents se sont vu refuser un pourvoi. La Cour n'a pas motivé son refus, en raison sans doute du fait que la question, portant sur une interprétation détaillée de la *Loi sur les écoles publiques* de la province, n'était pas selon elle d'importance nationale. À l'heure actuelle, ces parents partagent entre eux les frais de location d'autobus pour assurer le transport de leurs enfants. Ils n'ont pas abandonné le combat et se sont adressés au ministre de l'Éducation, celui-là même qui vient d'être élu à la présidence du Conseil des ministres de l'Éducation du Canada.

Saskatchewan

Le centre de recherche de l'association des commissaires d'école de la province a préparé un rapport assez controversé intitulé *French Education Directions in Saskatchewan* pour aider ces derniers à planifier l'enseignement du français au cours des années 90. Dans leur introduction, les auteurs énumèrent les tâches qui incomberont aux conseils scolaires en ces termes : « Nous avons appris que, dans cette province, l'enseignement des deux langues déborde le cadre du simple enseignement du français. Se posent aussi des problèmes d'organisation scolaire, d'enseignement de l'anglais, de bien-être général des étudiants, de formation des enseignants, d'embauche et de recyclage, d'acquisition et de consolidation des ressources appropriées, et d'évaluation des divers programmes de français (notre traduction). » On y examine aussi les programmes immersifs, les programmes cadres de français et les programmes enrichis, les programmes des écoles secondaires, ainsi que la dotation en personnel et l'évaluation, tout en rappelant qu'il n'existe pas de programme d'enseignement idéal de la langue seconde, mais bien un éventail complet de solutions. Le rapport propose ensuite des combinaisons de formules variées. Enfin, on considère comme irréaliste, en raison du temps alloué à l'enseignement de la langue, l'objectif actuel du ministère de l'Éducation qui est de former des diplômés capables de s'exprimer en français.

La pénurie de professeurs de français langue seconde et langue maternelle est critique en Saskatchewan. En raison de l'augmentation rapide de la demande de programmes immersifs depuis quelques années, les conseils scolaires n'arrivent pas à fournir un nombre suffisant d'enseignants qualifiés. Bien que les conseils

comptent sur les diplômés qui se seront spécialisés à l'université de la Saskatchewan et à celle de Regina pour les sortir de l'impasse, la province devra continuer à recruter des professeurs à l'extérieur, ce qui n'est pas chose facile.

Alberta

En juin 1987, la ministre de l'Éducation a déposé le projet de loi 59. Aux termes de la nouvelle *Loi scolaire*, les jeunes francophones auront droit à un enseignement en français lorsque le nombre le justifiera. Pour la première fois, ce projet de loi distingue clairement l'immersion en français de l'enseignement de la langue maternelle à la minorité. Il ne porte toutefois pas sur la question de la gestion des écoles française par la minorité, question que nous examinons en détail dans le chapitre portant sur les droits linguistiques.

L'une des dispositions du projet de loi 59 inquiète la Canadian Parents for French. Si elle est retenue, le versement des taxes scolaires aux conseils des écoles séparées ne serait autorisé que si l'affiliation religieuse du contribuable coïncide avec celle du conseil. Dans les régions rurales de l'Alberta, la plupart des programmes immersifs sont le fait des conseils catholiques, tandis qu'à Calgary, beaucoup d'élèves catholiques sont inscrits à des cours immersifs donnés dans des écoles publiques non confessionnelles. La nouvelle loi forcerait les conseils à s'entendre sur le versement des frais de scolarité des étudiants non résidents inscrits à des cours particuliers tels que l'immersion. Toutefois, sans des directives très claires de la part du Ministère, il pourrait en résulter des situations pour le moins fâcheuses. Par exemple, le programme d'immersion en français récemment établi à Wetaskiwin pourrait être compromis, faute d'ententes satisfaisantes avec deux autres conseils scolaires.

Les Albertains qui préfèrent l'immersion pour leurs enfants ont également d'autres préoccupations. À Camrose, des parents envisagent de s'adresser aux tribunaux pour obtenir de leur conseil scolaire qu'il appuie leur demande de cours immersifs en français dès la première année. Afin d'obtenir un enseignement parfaitement bilingue, ils ont l'intention d'invoquer les dispositions de la *Charte canadienne des droits et libertés*. Selon la politique du conseil, seule l'immersion courte (de la sixième à la huitième année) est autorisée. Le conseil estime qu'il serait trop coûteux à l'heure actuelle de commencer plus tôt.

À Calgary, le conseil des écoles publiques a pris les parents par surprise en proposant d'exiger des frais de transport et de surveillance des réfectoires aux élèves qui ne sont pas du quartier. Ce nouveau règlement toucherait quelque 2 000 élèves des écoles bilingues. Les parents se plaignent qu'après avoir fait la promotion de l'enseignement bilingue auprès de la population, le conseil ait maintenant entrepris de le rendre plus coûteux. La décision du conseil de plafonner les frais imposés à chaque famille n'a apporté qu'une solution partielle à ce problème.

En Alberta également, la pénurie d'enseignants affectés au programme de français est grave. En 1983, on estimait qu'il fallait 158 enseignants de plus pour les

programmes de français langue seconde ; en septembre 1986, il en manquait 276. Qui plus est, les universités albertaines ne réussissent pas à recruter suffisamment de candidats dans la province. Chaque année, quelque 65 diplômés en éducation sortent de la Faculté Saint-Jean de l'Université d'Alberta. Entre-temps, l'Université de Calgary envisage d'offrir en français le baccalauréat en éducation. Bien que cela ne puisse manquer d'attirer l'attention sur les occasions de faire carrière dans ce domaine, il sera sans doute nécessaire de fournir aux finissants du secondaire plus de renseignements sur les postes à pourvoir. Pour un certain nombre de spécialistes, la création d'un programme de ce genre à l'Université de Calgary peut également être perçue comme une course aux subsides par sa rivale, la Faculté Saint-Jean. Les trois universités albertaines devraient collaborer à la recherche d'une solution en favorisant une concentration maximum des cours de français dans leur seul établissement postsecondaire à prédominance francophone.

Colombie-Britannique

L'année dernière, en plus des modifications apportées au programme cadre de français pour les francophones, le ministère de l'Éducation a révisé sa politique relative aux programmes d'immersion en français depuis la maternelle jusqu'à la douzième année. La politique concernant les programmes de français est à l'étude depuis 1982. Cette année-là, le Ministère instaurait un comité consultatif composé d'administrateurs de districts, de professeurs et de représentants des groupements de parents. La politique a également fait l'objet d'une consultation auprès de la population, de l'automne 1986 à mars 1987. Les subventions consacrées à l'immersion ainsi qu'à tous les cours du programme cadre, seront incorporées dans le budget ordinaire des conseils scolaires pour subvenir aux frais des services de soutien, d'occupation des salles, de transport et d'enseignement, comme c'est à présent le cas pour les programmes ordinaires dispensés en anglais. Très attendue, cette initiative devrait permettre d'atténuer quelques-unes des difficultés qui n'ont cessé de croître ces dernières années. Toutefois, de l'avis de certains parents et enseignants, cette politique ne résoudra pas tous les problèmes des programmes immersifs. La section provinciale de la Canadian Parents for French aimerait voir dans cette politique une garantie de la poursuite des programmes immersifs après leur mise en vigueur. Pour atteindre cet objectif, il faudrait planifier pour un bon nombre d'années l'introduction et la coordination de ces programmes. Bien que cette planification risquerait de différer le lancement de certains programmes, elle se traduirait à long terme par plus de justice pour toutes les parties en cause.

Déçu par l'annulation de l'immersion en français à la maternelle, un groupe de parents de Saanich a décidé de poursuivre son conseil scolaire pour l'obliger à revenir sur sa décision en prétendant que leurs enfants avaient droit à l'enseignement en langue française selon les dispositions de l'article 23 de la *Charte canadienne des droits et libertés*. La Cour suprême de Colombie-Britannique a toutefois statué que cet article 23 ne garantissait pas le droit des enfants de la majorité anglaise à l'immersion en français. Comme l'a fait observer le juge chargé

de l'affaire, l'article 23 ne garantit pas les droits de la majorité dont jouissent déjà les requérants, mais il garantit aux minorités linguistiques française ou anglaise dans chaque province le droit de faire instruire leurs enfants dans leur langue.

Yukon

Les programmes immersifs continuent de progresser et sont désormais offerts jusqu'en septième année. À l'heure actuelle, le groupe d'étude français de l'Université Simon Fraser effectue une évaluation globale de ces programmes, et celle-ci est censée être terminée au début de l'été 1988. Le programme cadre de français est obligatoire de la cinquième à la dixième année et certaines écoles ont accepté de le proposer, à titre d'essai, dès la première année, pour répondre à la demande des parents.

Du fait qu'elle n'a qu'un petit nombre d'élèves francophones (moins de 50), l'école Émilie-Tremblay de Whitehorse demeure vulnérable aux pressions qui visent à en faire une école bilingue. Il est par conséquent particulièrement encourageant de voir la Canadian Parents for French accorder son soutien inconditionnel au désir de l'école de demeurer française tout en invitant les élèves francophones à se joindre aux anglophones inscrits aux cours de français langue seconde pour la gymnastique. Ce regroupement permettrait d'embaucher un professeur de gymnastique de langue française et de faire ainsi d'une pierre deux coups.

Territoires du Nord-Ouest

Bien que dans certains conseils scolaires, on n'ait pas cessé d'offrir depuis plus de 20 ans le programme cadre de français, celui-ci n'est pas obligatoire dans les Territoires du Nord-Ouest. Il est offert aujourd'hui dans 21 écoles réparties dans neuf collectivités. Son effectif global est de 3 500 élèves.

Il faut ajouter à ce chiffre les 307 élèves inscrits aux programmes immersifs de quatre écoles de Yellowknife. Le programme du conseil des écoles publiques débute en quatrième année, tandis que celui des écoles séparées commence dès la maternelle. En raison de la diminution du nombre d'élèves en immersion dans les plus hautes classes, particulièrement en neuvième et dixième années, il se peut que ce programme soit compromis à ce niveau. Afin d'éviter que cela se produise, la section locale de la Canadian Parents for French suggère de regrouper les élèves des classes supérieures des deux conseils scolaires.

L'enseignement postsecondaire : « l'esprit de Saskatoon »

Nous consacrons ce chapitre à l'étude des besoins des francophones vivant à l'extérieur du Québec et des anglophones bilingues qui désirent poursuivre leurs études postsecondaires en français, et nous abordons quelques-unes des difficultés auxquelles font face, à cet égard, les Québécois de langue anglaise. Le lecteur trouvera dans la partie IV un complément d'information sur l'évolution récente des établissements postsecondaires où l'enseignement est dispensé dans la langue de la minorité.

Après avoir entendu diverses critiques concernant les difficultés d'accès à l'enseignement postsecondaire en français des francophones hors du Québec, le Comité mixte permanent des langues officielles recommandait en juin 1987 que le gouvernement fédéral mette cette question à l'ordre du jour du Colloque national sur l'enseignement postsecondaire d'octobre dernier, à Saskatoon, ce qui fut fait. Parrainé par le gouvernement et par le Conseil des ministres de l'Éducation du Canada, ce colloque avait pour objectif d'aider le pays à se préparer à relever les défis du XXI[e] siècle dans le domaine de l'enseignement. Quelque 600 participants venus de tous les milieux intéressés à l'éducation se sont penchés sur les questions à résoudre et les facilités d'accès à l'enseignement postsecondaire, plus précisément la possibilité de s'inscrire et de poursuivre des études, et le cadre dans lequel insérer la gestion et le financement des programmes. C'est surtout sous l'angle de son accessibilité que la question de l'enseignement postsecondaire aux francophones a été étudiée.

Des questions primordiales

L'enseignement postsecondaire est confronté à la nécessité de résoudre plusieurs problèmes, à savoir la façon de répartir les subsides en fonction des besoins à venir, l'augmentation du nombre d'établissements, d'élèves et de programmes alors même que le financement en est réduit, et la concurrence entre les établissements, forcés de financer, du moins en partie, leurs programmes en attirant suffisamment d'étudiants. Dans leurs comptes rendus du colloque de Saskatoon, les médias ont fait particulièrement état de querelles de compétence et de la nécessité pour les gouvernements fédéral et provinciaux de s'entendre sur une politique nationale de l'enseignement postsecondaire et de la recherche. De fait,

les participants ne se sont quittés qu'après avoir adopté des lignes directrices, ce qui a fait dire au *Globe and Mail* dans un éditorial : « Le moment est venu d'agir. »

Planification

Les principaux thèmes du colloque de Saskatoon faisaient écho aux problèmes de planification de l'enseignement postsecondaire dans les langues officielles, qui sont d'assurer une meilleure répartition des ressources en tenant compte de besoins et d'objectifs différents, et de rejoindre de surcroît une clientèle inégalement répartie sur le territoire. Ces problèmes, il faut en convenir, n'ont pas tous la même ampleur.

Les minorités et la question de la langue seconde

Il y a maintenant plusieurs décennies que les établissements canadiens d'enseignement supérieur estiment très important d'ouvrir leurs portes à ceux qui le désirent. Grâce à l'expansion et à la diversification des universités et des collèges et à l'aide financière accordée aux étudiants qui en ont le plus besoin, il est plus facile qu'autrefois de poursuivre des études postsecondaires. Dans l'ensemble, ces mesures ont porté des fruits : les inscriptions ont considérablement augmenté depuis le début des années 60, la clientèle à temps plein ayant à elle seule presque quintuplé. À l'heure actuelle, plus d'un million d'étudiants fréquentent, à temps plein ou partiel, un collège ou une université.

Tous n'ont pas été touchés également par cette avance remarquable. Les femmes et les Québécois francophones sont de ceux qu'elle a particulièrement favorisés, bien que, dans un cas comme dans l'autre, il y ait encore des progrès à faire au niveau du deuxième cycle. Par contre, les francophones hors du Québec, en règle générale, ont été exclus du banquet. En ce qui les concerne, la situation varie grandement selon leur importance numérique dans leur province. Au total, on compte au Canada environ 70 établissements accordant des diplômes universitaires ainsi que 150 établissements d'enseignement collégial ; toutefois, en dehors du Québec, il y a très peu d'établissements où l'enseignement est dispensé, ne fut-ce que partiellement, en français. Ainsi les francophones hors du Québec doivent souvent fréquenter une université ou un collège bilingue, ou encore s'inscrire dans un établissement de langue anglaise.

L'Ontario

Même en Ontario, où l'on compte certains établissements bilingues mais aucun collège ou université de langue française, les francophones n'ont pas accès à tout l'éventail des études postsecondaires. Au début de 1987, deux groupes de travail composés de représentants du ministère de l'Éducation et d'établissements d'enseignement ont examiné cette question. L'un s'est penché sur le cas des collèges, l'autre, sur celui des universités. Leur tâche a consisté à élaborer des plans pour accroître les cours donnés en français et fournir les installations voulues pour satisfaire aux exigences de la *Loi sur les services en français*. Enfin, une entente est intervenue entre l'Ontario, le Québec et certaines universités québécoises pour accueillir les Franco-Ontariens qui désirent y suivre des cours que leur province ne leur offre pas pourvu qu'ils satisfassent aux conditions

d'admission. L'Ontario assumera les coûts afférents à cet enseignement. La priorité a été donnée aux candidats en médecine et en art dentaire. Utile en soi, cet accord ne favorise pas pour autant l'expansion de l'enseignement postsecondaire en français en dehors du Québec.

La concentration des ressources

L'un des moyens de relever les défis de l'avenir dont on a amplement discuté à Saskatoon serait peut-être de concentrer les ressources, pour des raisons d'excellence, dans certaines disciplines et dans certains établissements, plutôt que de laisser chacun offrir toute la gamme des programmes postsecondaires. En dehors du Québec, les étudiants francophones sont peu nombreux et leurs besoins sont particuliers. Or le personnel qualifié et les ressources étant restreints, il convient de songer sérieusement à les concentrer. Il nous apparaît utile, par exemple, que l'Université du Manitoba s'entende avec le Collège universitaire de Saint-Boniface pour que celui-ci puisse donner quelques-uns des cours que ses étudiants veulent suivre en français. On atteindrait ainsi deux objectifs : renforcer les ressources d'un établissement de la minorité et permettre aux diplômés des cours immersifs et aux anglophones maîtrisant bien la langue de baigner dans un milieu français. Il se peut que, pour des motifs d'ordre pratique, des professeurs de Saint-Boniface aient également à donner des cours à l'Université du Manitoba ; ce qui compte cependant à nos yeux, c'est que la responsabilité générale des programmes français incombe au Collège de Saint-Boniface — qui doit veiller à ce qu'ils soient de qualité — plutôt que d'être répartie entre diverses facultés de l'Université du Manitoba. Il apparaît également raisonnable de proposer qu'en Alberta, le programme français du baccalauréat en éducation soit dispensé en grande partie par la Faculté Saint-Jean de l'Université de l'Alberta, qui s'est très bien acquittée jusqu'à présent de cette tâche.

Nous recommandons que le Secrétariat d'État, en collaboration avec le Conseil des ministres de l'Éducation du Canada, étudie de près la possibilité a) d'augmenter son aide matérielle et financière aux établissements postsecondaires desservant actuellement les francophones hors du Québec qui jouent ou pourraient jouer un rôle important dans leur région et b), de créer de nouveaux établissements là où le besoin s'en fait sentir. Toutes les parties en cause devront certes collaborer et faire preuve de créativité pour exploiter au maximum l'influence dans les régions d'établissements tels que l'Université de Moncton, le Collège de Saint-Boniface, la Faculté Saint-Jean et l'Université Sainte-Anne, et en faire des institutions encore plus attirantes pour la minorité. Cette politique profiterait sans doute aux établissements en cause et leur permettrait de devenir des pôles d'attraction pour les minorités francophones.

Les anglophones bilingues

Il faut tenir compte également, lorsqu'on parle d'enseignement postsecondaire en français, des diplômés des cours immersifs et de tous les jeunes anglophones qui au sortir du secondaire connaissent bien le français. Comme on s'attend à ce que de nombreux anglophones bilingues s'inscrivent à l'université au cours des années à venir, il est important de bien évaluer dès maintenant leurs besoins au chapitre du français. Ils sont actuellement peu nombreux dans les universités

anglaises et bilingues, mais en étudiant dès maintenant leur choix de cours, on peut orienter les recherches et mieux planifier les programmes. À la fin de 1986, des chercheurs de l'Université d'Ottawa terminaient l'étude qu'ils avaient entreprise sur l'orientation des diplômés des cours d'immersion en français au sortir de l'école secondaire. Cent trois diplômés de fraîche date d'établissements secondaires bilingues de la région d'Ottawa avaient été retrouvés. Ils s'étaient inscrits aux universités Carleton, Queen's et McGill et à l'Université d'Ottawa. Quatre-vingt-un d'entre eux avaient fréquenté des écoles publiques de Carleton et d'Ottawa et suivi au complet les cours en immersion, longue ou courte. Le but de cette recherche, destinée à servir de modèle à d'autres enquêtes du même genre ailleurs, était également de connaître la manière dont les établissements postsecondaires répondaient aux besoins de cette nouvelle clientèle.

Elle a permis d'établir que les diplômés bilingues des écoles secondaires, lorsqu'ils arrivent à l'université, savent également bien comprendre, parler, lire et écrire le français. Ils n'éprouvent en général aucune gêne à y recourir et semblent au contraire désireux de le pratiquer et de continuer à l'apprendre. Toutefois, selon les chercheurs, ils s'en servent très peu dans leur études, leurs loisirs ou ailleurs. Par exemple, les diplômés des écoles publiques d'Ottawa et de Carleton affirment ne regarder la télévision française que deux heures par mois en moyenne. Ils lisent un livre français tous les trois mois, voient un film français tous les deux mois et parlent français environ 4,4 heures par mois.

Bien que ces diplômés de l'immersion soient souvent capables d'effectuer des travaux en français avec des camarades francophones, ils n'ont pas tendance à le faire. La recherche a montré que 24 des 78 diplômés des cours immersifs inscrits à l'université bilingue d'Ottawa n'avaient suivi aucun cours en français la première année, et que la moyenne pour les 78, en 1985-1986, avait été de 0,8. Les chercheurs ont estimé que ce chiffre était bien peu élevé, vu les nombreux cours en français offerts aux étudiants, mais il dépassait de beaucoup la moyenne des trois autres universités. Les quatre établissements sont disposés à modifier leurs programmes pour répondre aux besoins des anglophones bilingues désireux d'étudier en français. Toutefois, leur recrutement fait problème. Parce que le choix d'un cours en français plutôt qu'en anglais n'est pas pour eux primordial, il se peut qu'ils ne soient pas suffisamment nombreux pour assurer la viabilité des programmes. Sans doute ne faut-il pas chercher la solution du côté des cours donnant droit à des crédits, mais s'efforcer de cerner d'autres d'activités qui leur permettraient de conserver et d'améliorer à l'université la compétence qu'ils ont acquise de la langue française. Après avoir investi tant d'efforts pour apprendre une langue seconde, ce serait dommage qu'ils n'aient pas l'occasion d'en parfaire la connaissance.

Québec

Les difficultés qu'éprouvent les Québécois de langue anglaise n'ont pas l'ampleur de celles que connaissent les minorités françaises du Canada. Elles existent pourtant et touchent en particulier les collèges d'enseignement général et professionnel

(cégeps). À l'extérieur de Montréal, les cégeps anglais sont rares, et lorsqu'un cégep francophone dispense des cours en anglais, comme c'est le cas à Sept-Îles, le choix n'en est pas très grand et les inscriptions sont peu nombreuses. La communauté anglophone souhaite qu'on ouvre d'autres cégeps anglais à l'extérieur de Montréal et qu'on crée un programme pour venir en aide financièrement aux étudiants des régions qui choisissent de s'inscrire dans un cégep montréalais. Dans l'Outaouais, les anglophones ont des raisons de se réjouir. Il ont remporté une victoire importante après s'être ligués et avoir mené collectivement une longue lutte. Le ministère québécois de l'Éducation a annoncé, en effet, en août dernier que le campus Heritage du collège de l'Outaouais à Hull allait acquérir son autonomie dès l'automne de 1988. Dorénavant, le nouveau collège Heritage aura son propre conseil d'administration et bénéficiera d'un financement accru. En outre, il offrira à tous les anglophones établis dans l'Outaouais son propre programme d'enseignement aux adultes.

L'enseignement à distance

Grâce aux progrès de la technologie, le télé-enseignement est venu s'ajouter aux cours dispensés en dehors des murs de l'université, dont les cours par correspondance. La télévision, la radio, l'ordinateur branché sur modem remplacent aujourd'hui le professeur faisant la navette d'un établissement à l'autre. Il est même possible de reproduire jusqu'à un certain point la salle de cours, puisque la technologie permet à l'enseignant et à l'étudiant de dialoguer sans avoir à se trouver au même endroit. Lors d'un colloque national organisé à l'automne de 1986 sur l'enseignement postsecondaire à distance en français, l'Association canadienne d'éducation de langue française a reçu le mandat d'entreprendre la conception d'un réseau national d'enseignement postsecondaire à distance pour les francophones du Canada. Depuis, des représentants d'établissements francophones et bilingues de toutes les régions se sont réunis à plusieurs reprises afin de planifier la mise en place de ce réseau. Un certain nombre de réseaux régionaux existent déjà, notamment ceux de l'Université d'Ottawa, de la Corporation pour l'avancement des nouvelles applications des langages (CANAL), de la Télé-Université du Québec, de la Faculté Saint-Jean et de l'Université de Moncton, qui donnent toutes des cours en français. Toutefois, la création d'un réseau national constitue une entreprise beaucoup plus complexe. Comment constituer ce réseau sur le plan juridique ? Comment donner aux étudiants un enseignement approprié sans menacer l'existence des établissements plus petits ? Ces questions exigent des réponses, mais il reste qu'un réseau national d'enseignement à distance apparaît comme une solution très prometteuse au problème de l'accès à l'enseignement supérieur en français à l'extérieur du Québec.

Quant aux universités de langue anglaise, elles pourraient envisager elles aussi de recourir à l'enseignement à distance afin d'offrir des cours en français à leurs étudiants anglophones. Ceux-ci seraient probablement plus intéressés à recevoir ainsi des cours donnés par des professeurs francophones plutôt que de suivre ceux de professeurs anglophones plus ou moins bilingues. Ce sont des points à discuter

si l'on veut fournir aux anglophones bilingues et aux francophones vivant à l'extérieur du Québec des solutions adaptées à leurs besoins respectifs.

Au seuil des années 90, il nous apparaît évident que la question la plus vitale est celle de procurer aux francophones hors du Québec le même accès à l'enseignement postsecondaire dans leur langue que celui dont jouissent les jeunes anglophones. En principe, la réalisation de cet objectif pourrait, dans certains cas, aller de pair avec le développement des programmes destinés aux anglophones bilingues. Il reste qu'il faut systématiquement définir les moyens d'y parvenir. Si nos établissements postsecondaires ne réussissent pas à relever ce défi, nous risquons de perdre à la longue les ressources que nous commençons à investir au primaire et au secondaire. Dans « l'esprit de Saskatoon », il nous faut adapter avec méthode et créativité le système canadien d'enseignement supérieur aux besoins de demain. Il se peut même que les modifications que nous apporterions à l'enseignement des langues officielles se révèlent un élément aussi essentiel de l'évolution nationale que tous ceux que l'on pourrait imaginer. **Nous recommandons fortement que soit considérée comme un objectif prioritaire du processus de planification et de consultation entamé au Colloque national sur l'enseignement postsecondaire de Saskatoon l'égalité d'accès à l'enseignement postsecondaire en français et en anglais.**

ANNEXES

Le Commissariat aux langues officielles : point n'est besoin d'attendre

En vertu de la *Loi sur les langues officielles*, le rôle du Commissaire comporte trois volets : ombudsman, il s'emploie à protéger les droits linguistiques de tous les Canadiens ; vérificateur, il s'assure que les ministères et organismes fédéraux se conforment aux exigences de la Loi ; promoteur de l'égalité linguistique, il s'efforce d'accélérer la réforme du régime linguistique et, plus particulièrement, de voir à ce que les minorités de langue officielle bénéficient de la protection nécessaire pour que leur identité propre s'épanouisse.

La Loi confère également au Commissaire le mandat de recommander « les modifications qu'il estime nécessaires ou souhaitables ... d'apporter à la présente Loi ». Cette tâche l'a particulièrement accaparé au cours des deux dernières années alors que l'on préparait le projet de loi C-72, lequel a été déposé au Parlement en juin dernier.

L'année 1987 a été marquée d'autre part par le dépôt exceptionnel, auprès du gouverneur en conseil, de trois rapports spéciaux invitant le gouvernement à participer à la recherche de solutions aux problèmes chroniques qui y étaient soulignés. Ces rapports traitaient du service bilingue offert aux voyageurs des Chemins de fer nationaux et de Via Rail ; de la sous-représentation des anglophones au sein des ministères et organismes fédéraux au Québec, et du rôle du Conseil du Trésor à cet égard ; et des obstacles à l'usage du français au sein du ministère de la Défense nationale. Le gouverneur en conseil a officiellement répondu à ces trois rapports, et les ministères et organismes en cause se sont engagés à prendre les mesures nécessaires pour remédier à la situation. Ces questions sont abordées dans les parties II et III.

Dans un rapport rendu public en mars 1987, le Commissariat a émis diverses recommandations visant à promouvoir le bilinguisme au sein du secteur privé et des organisations volontaires nationales.

Nos trois derniers rapports annuels ont souligné la nécessité de relancer la réforme du régime linguistique au sein des organismes fédéraux afin que soit pleinement appliqué le principe de l'égalité linguistique consacré par la *Charte canadienne des droits et libertés*. Le rapport annuel de l'année dernière présentait 1987 comme « l'année du test », non seulement pour le gouvernement fédéral, mais également pour les provinces. Le Commissaire s'est donc employé à favoriser la réalisation des objectifs et propositions mis de l'avant dans ces rapports.

Cette année encore, le Commissaire a multiplié ses contatcs avec des dirigeants et divers intervenants de tous les milieux. En 1987, il s'est rendu dans neuf provinces. Lors de ses rencontres avec les premiers ministres, les ministres, les hauts fonctionnaires, les représentants des groupes minoritaires, les spécialistes de l'enseignement, les leaders d'opinion et les médias de ces provinces, il a discuté des droits et des besoins des collectivités minoritaires, et souligné le besoin de resserrer les liens entre celles-ci et leurs gouvernements.

Parmi les nombreuses occasions qui ont été données au Commissaire de communiquer ses vues, mentionnons la 55e conférence de l'Association canadienne-française pour l'avancement des sciences (ACFAS) — où il a traité de la sous-utilisation du français dans les milieux scientifiques et des moyens d'y remédier — et les festivités marquant le 75e anniversaire de l'Association culturelle franco-canadienne de la Saskatchewan. Ce rôle de conférencier invité lui permet d'une part de se tenir au fait des problèmes sectoriels et régionaux et, d'autre part, de promouvoir les différents aspects de la réforme du régime linguistique. Ainsi, les propositions mises de l'avant lors de la conférence de l'ACFAS ont incité le Conseil du Trésor à créer un comité chargé d'étudier le statut du français dans le secteur de la science. Ce comité, qui compte un représentant du Commissariat à titre d'observateur, devrait remettre son rapport en avril 1988.

Conformément à son mandat de sensibiliser les dirigeants politiques et le grand public aux problèmes linguistiques et de proposer des solutions, le Commissaire a notamment témoigné à une vingtaine d'audiences du Comité mixte permanent des langues officielles ainsi qu'à une réunion du Comité permanent des communications et de la culture. Il a tenu plusieurs conférences de presse, prononcé quelque 30 allocutions officielles et accordé 113 entrevues. En outre, ses porte-parole ont donné 23 entrevues.

En février 1987, le procureur du Commissaire a comparu devant la Cour suprême de l'Île-du-Prince-Édouard dans une cause visant à déterminer si la Loi scolaire de la province était compatible avec l'article 23 de la *Charte canadienne des droits et libertés*. En octobre, il a obtenu d'intervenir devant la Cour d'appel de la Colombie-Britannique (laquelle sert de tribunal d'appel au Yukon) dans l'affaire Daniel St-Jean, qui soulève la question du statut du français au Yukon. Enfin, le Commissaire a demandé d'intervenir dans l'affaire Bugnet, qui sera portée devant la Cour suprême du Canada en janvier 1988. Il avait déjà comparu devant la Cour d'appel de l'Alberta dans la même affaire.

Le Commissaire est secondé dans ses fonctions par un sous-commissaire, cinq directions à l'administration centrale, six bureaux régionaux et six agents de liaison à temps partiel répartis dans tout le pays.

Au chapitre des nominations, signalons que M. Stuart Beaty est devenu conseiller aux projets spéciaux ; M^me^ Carmelita Boivin-Cole lui succède comme directrice des Politiques, et M^me^ Emmanuelle Gattuso a été nommée directrice des Communications.

Le mandat des cinq directions du Commissariat ayant été passé en revue dans le dernier rapport annuel, nous présentons ici quelques-unes des initiatives qu'elles ont prises au cours de l'année.

La **direction des Politiques** a analysé la conception de deux études sur des collectivités de langue minoritaire (Welland et Sherbrooke), et commandé une étude détaillée de la disponibilité et de l'usage des supports institutionnels ainsi que de leur influence sur les choix sociolinguistiques au sein de ces collectivités. Elle a aussi commandité trois études portant sur des données relatives à la langue maternelle du recensement de 1981, participé au financement d'un volet linguistique de l'**Enquête sociale générale** de Statistique Canada, et commandé une évaluation des répercussions potentielles des contextes historique et juridique de la gestion des écoles de langue minoritaire.

Appelée à composer avec un nombre croissant de griefs, la **direction des Plaintes et Vérifications** a entrepris de réviser son processus de traitement des plaintes. Elle met la dernière main à un nouveau manuel qui permettra de simplifier le processus, d'accélérer le règlement des plaintes et de multiplier les contrôles de qualité. Le Centre d'évaluation et de répartition des plaintes a procédé au traitement collectif de certains griefs afin de mieux cerner les obstacles systémiques à la réforme du régime linguistique au sein des organismes fédéraux.

Jusqu'à maintenant, les principaux ministères et organismes faisaient l'objet d'une vérification à tous les cinq ou six ans, l'intervalle étant plus grand pour les organismes de moindre taille. Dorénavant, les vérifications seront plus fréquentes là où des problèmes importants se manifestent ; inversement, les ministères et organismes dont le rendement est considéré comme satisfaisant seront vérifiés moins souvent. Comme par le passé, des suivis seront effectués dans les 12 à 18 mois suivant la vérification afin de s'assurer que les recommandations sont mises en œuvre.

En 1987, la Direction a effectué 22 vérifications, suivis et études. Elle a reçu 2 657 plaintes et demandes de renseignements, dont 2 185 mettaient en cause des ministères et organismes fédéraux.

L'une des principales réalisations de la **direction des Communications** en 1987 a été la publication d'un *Agenda* destiné aux jeunes de 12 à 14 ans. Distribué

par l'entremise de groupes et d'associations de jeunes, cet ouvrage illustré, véritable mine de renseignements sur les langues officielles, a reçu un accueil des plus enthousiastes.

Par ailleurs, le Comité consultatif du programme jeunesse comprend maintenant 12 membres plutôt que 6 ; on y retrouve désormais des représentants de tous les ministères provinciaux de l'Éducation (sauf celui de la Colombie-Britannique), du Yukon et du Conseil des ministres de l'Éducation du Canada.

Lancée à l'automne 1979, la revue du Commissariat, *Langue et Société*, avait conservé depuis huit ans la même présentation et la même politique éditoriale. À l'automne 1987, la parution du numéro 20 inaugurait une nouvelle série, caractérisée par une approche plus informative et plus dynamique : public-cible élargi, éditoriaux, présentation renouvelée, articles plus courts et plus variés, etc. Ainsi, les numéros d'automne et d'hiver présentaient des dossiers spéciaux à l'occasion de la tenue du Sommet de la francophonie à Québec et de la conférence des chefs d'État et de gouvernement du Commonwelth à Vancouver. Au cours de l'année, le nombre d'abonnés à *Langue et Société* est passé de 6 500 à 10 500.

En avril 1987, la **direction des Opérations régionales** a ouvert le sixième bureau régional du Commissariat à Toronto. Celui-ci s'ajoute à ceux de Moncton, Montréal, Sudbury, Saint-Boniface et Edmonton. En outre, soucieux d'offrir un meilleur service au public sans grever le budget, le Commissaire a nommé six agents de liaison à temps partiel là où il n'avait pas de représentant officiel. Ces agents, qui travaillent à la maison et relèvent des bureaux régionaux, représentent le Commissaire dans les régions de Saint-Jean (Terre-Neuve), Wellington (Île-du-Prince-Édouard), Meteghan River (Nouvelle-Écosse), Sainte-Foy (ville de Québec et Gaspésie), Prince Albert (Saskatchewan) et Vancouver-Nord (Colombie-Britannique).

La **direction de la Gestion des ressources** est chargée de l'administration des finances, des ressources et du personnel. En décembre 1987, les femmes représentaient 60 p. 100 des employés du Commissariat, comparativement à 52 p. 100 en 1984. Au cours de la même période, leur pourcentage est passé de 20 à 27 p. 100 dans la catégorie Gestion, et de 50,6 à 54,2 p. 100 chez les agents. En 1987, les anglophones représentaient environ 28 p. 100 des employés du Commissariat. Cette modeste augmentation de 3 p. 100 par rapport à l'année précédente reflète les efforts déployés pour attirer des candidats anglophones qualifiés : 9 des 19 postes comblés cette année l'ont été par des anglophones. Dans la catégorie Gestion (direction et gestion supérieure), leur proportion est passée de 27 p. 100 en décembre 1984 à 40 p. 100 en janvier 1988. Le nombre de candidats d'expression française répondant aux offres d'emploi témoigne clairement du fait que le mandat du Commissariat intéresse davantage les francophones que les anglophones. Il faut souligner par ailleurs que peu d'employés au sein de la Fonction publique possèdent le degré élevé de bilinguisme exigé des employés du Commissariat. Quoi qu'il en soit, le taux de participation des deux groupes

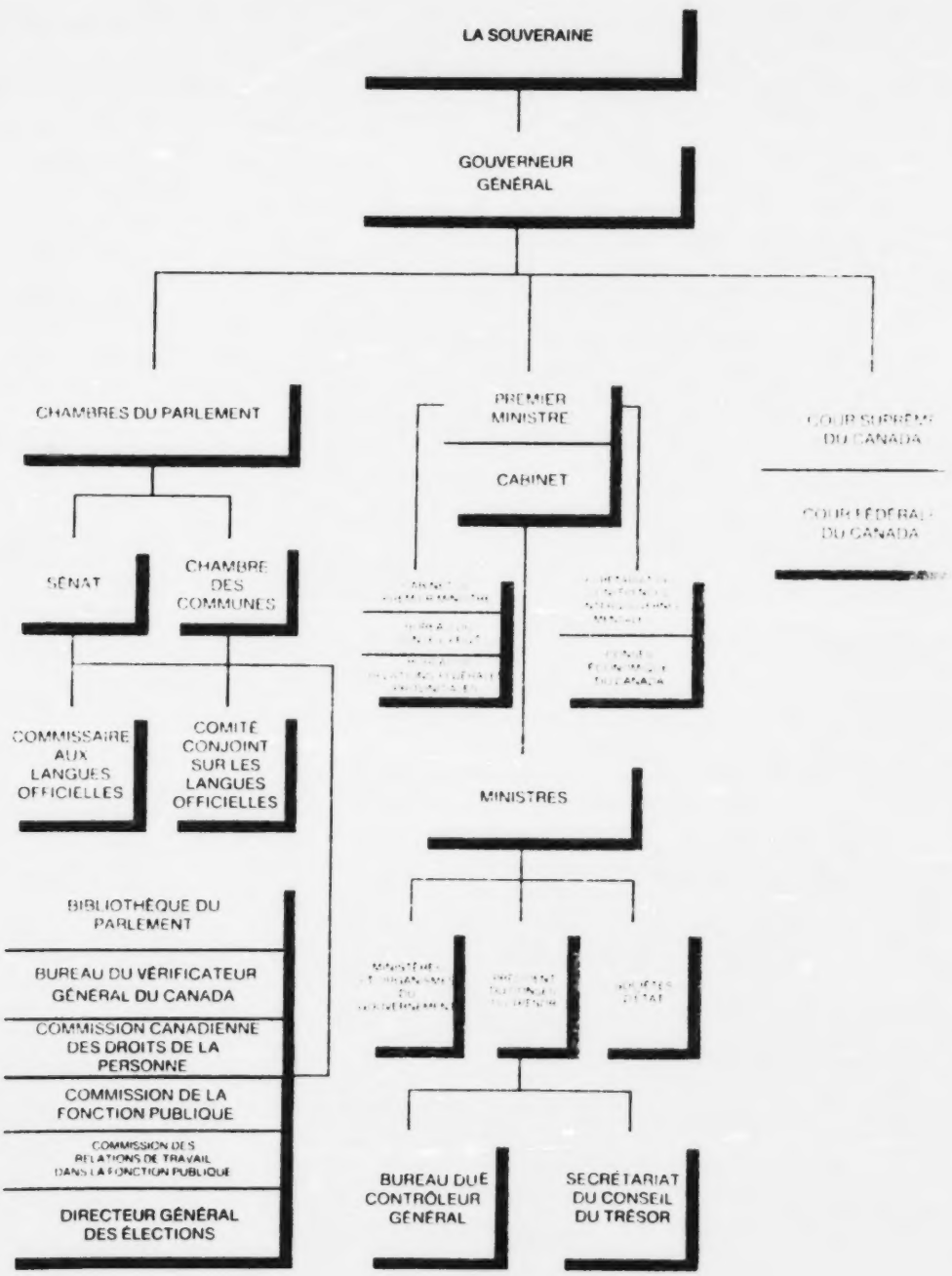
linguistiques n'est pas satisfaisant, et le recrutement d'anglophones compétents demeure une grande priorité. Un comité spécial présidé par le sous-commissaire a d'ailleurs été saisi de la question.

En 1987, le Commissariat disposait d'un effectif de 160 personnes, comparativement à 152 en 1986. Cette augmentation est attribuable à la mise en œuvre des recommandations des vérificateurs de la Commission de la Fonction publique : plusieurs agents contractuels sont devenus des employés permanents.

Commissariat aux langues officielles: effectif et budget 1988-1989

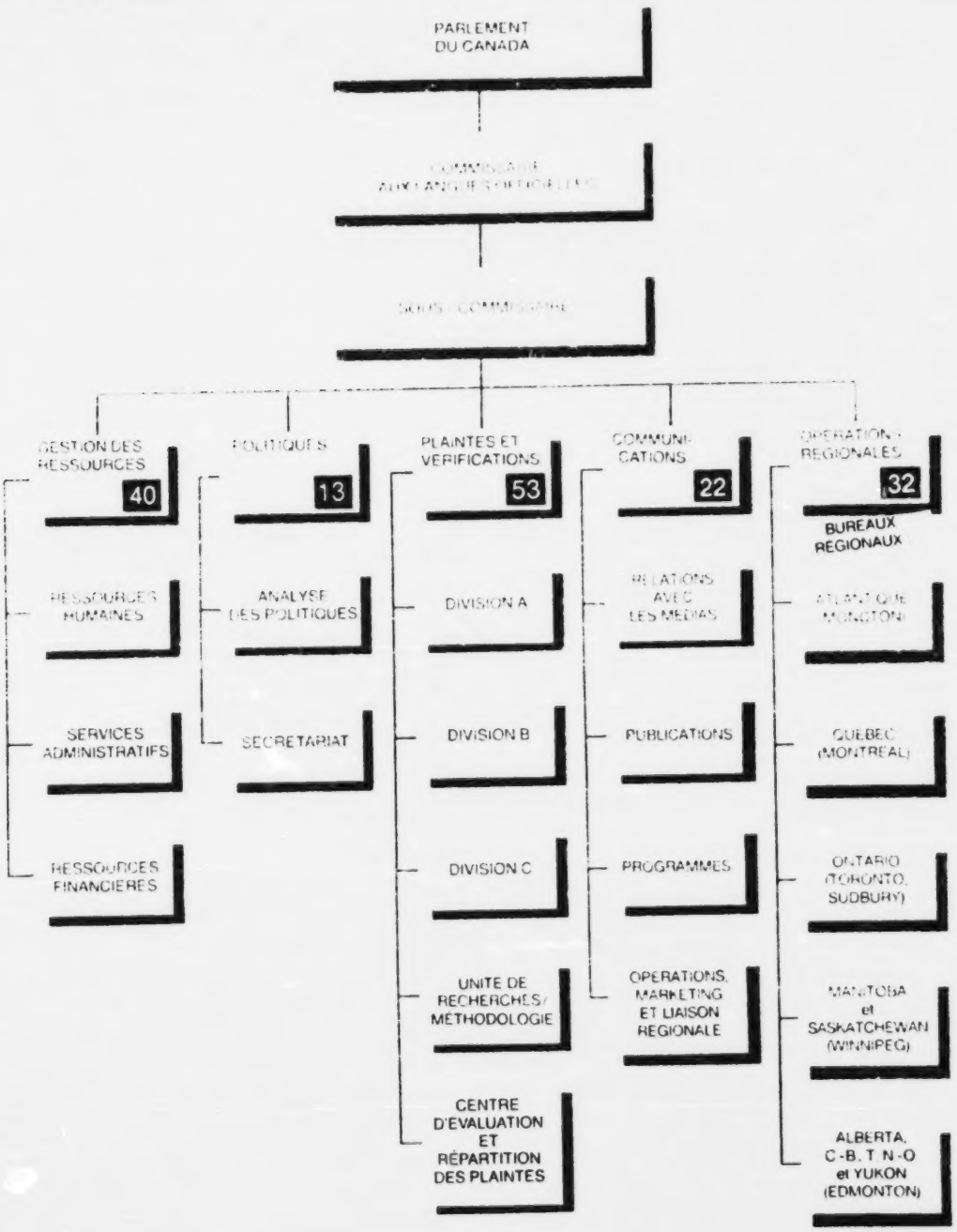
Direction	Effectif	Budget (en milliers de dollars)
Politiques	13	950
Plaintes et Vérifications	53	2 706
Communications	22	2 630
Opérations régionales	32	1 935
Gestion des ressources	40	1 970
Total	**160**	**10 191**

GOUVERNEMENT DU CANADA
Organigramme abrégé



COMMISSARIAT AUX LANGUES OFFICIELLES 2

Organigramme



■ effectif

LES PLAINTES

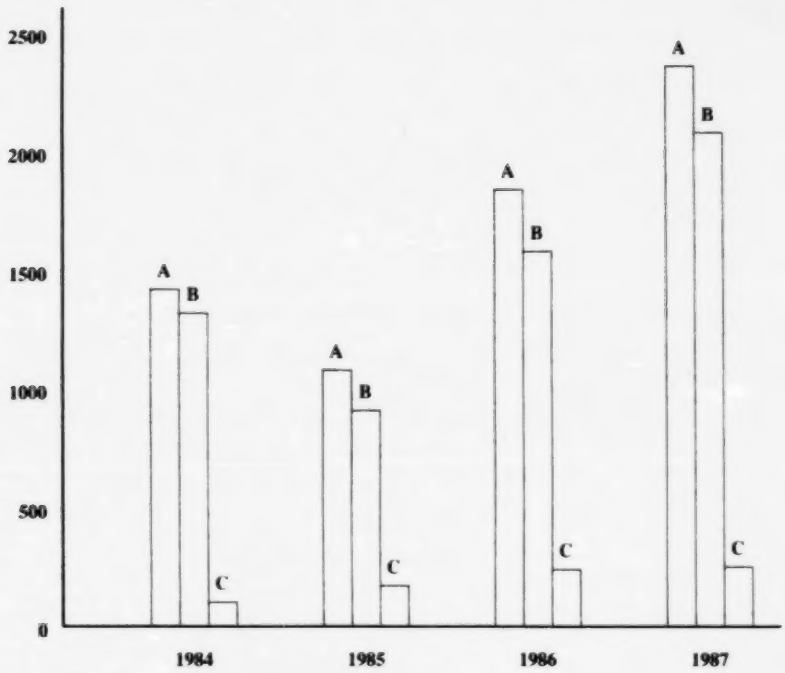
A.1

Répartition numérique des plaintes, selon la province, 1970-1986 et 1987 ; compétence (fédérale ou non) et nature des plaintes selon la langue visée et la province, 1987

	1970-1986	1987									
	Total des plaintes reçues	Communications	Plaintes	Compétence		Langue visée — Français			Langue visée — Anglais		
						Langue de service	Langue de travail	Participation	Langue de service	Langue de travail	Participation
	Nombre	Nombre	Nombre	Fédérale	Non fédérale						
Terre-Neuve	123	65	60	60	0	59	1	0	0	0	0
Île-du-Prince-Édouard	232	77	74	67	7	71	2	0	1	0	0
Nouvelle-Écosse	878	528	516	503	13	510	1	1	4	0	0
Nouveau-Brunswick	1,559	227	194	164	30	173	11	1	6	3	0
Québec[a]	4,071	248	219	204	15	102	37	1	74	4	1
Ontario[b]	10,866	943	775	709	66	559	163	19	21	8	5
Manitoba	1,159	200	185	172	13	176	4	4	1	0	0
Saskatchewan	672	62	53	50	3	48	5	0	0	0	0
Alberta	889	175	165	145	20	162	3	0	0	0	0
Colombie-Britannique	526	92	85	78	7	79	5	0	1	0	0
Territoires du Nord-Ouest et Yukon	33	22	19	19	0	18	1	0	0	0	0
Étranger	114	18	15	14	1	14	0	0	1	0	0
TOTAL	21 112[c]	2 657[c]	2 360[c]	2 185	175	1 971	233	26	109	15	6

[a] Inclut le côté québécois de la région de la Capitale nationale.
[b] Inclut le côté ontarien de la région de la Capitale nationale.
[c] Aux fins de ce tableau, les 456 plaintes relatives à la langue de travail concernant le SCRS ont été comptées comme une seule plainte

A.2 LES PLAINTES AU COURS DES ANS



Légende : A — Plaintes (Total)
B — Service au public
C — Langue de travail

	TOTAL	Service au public	Langue de travail	Participation
1984	1 421	1 326	95	
1985	1 080	913	167	
1986	1 840[a]	1 583	242[a]	15
1987	2 360[a]	2 080	248[a]	32

[a] Aux fins de ce tableau, les plaintes relatives à la langue de travail concernant le SCRS (1 784 en 1986 et 456 en 1987) ont été regroupées et comptées comme une seule plainte.

A.3

LES VÉRIFICATIONS LINGUISTIQUES, SUIVIS ET ÉTUDES SPÉCIALES

Vérifications linguistiques, suivis et études spéciales effectués dans les ministères et organismes fédéraux 1985, 1986 et 1987

1985

Vérifications

Approvisionnements et Services (Services)
Bureau du Conseil privé
Cabinet du Premier ministre
Chambre des communes
CN Marine
Commission de l'emploi et de l'immigration (administration centrale)
Corporation Place du Havre
Environnement
Expansion industrielle régionale
Gendarmerie royale du Canada (administration centrale)
Gouverneur général
Intégration des langues officielles dans la vérification interne
Via Rail (langue de travail)

Suivis

Assurances
Banque fédérale de développement
Centre national des arts
Commission canadienne des transports
Commission de contrôle de l'énergie atomique du Canada
Communications (Agence des télécommunications gouvernementales)
Conseil de la radiodiffusion et des télécommunications canadiennes
Conseil de recherches en sciences humaines du Canada
Conseil des Arts du Canada
Parcs Canada
Pêches et Océans
Pétro-Canada
Radio-Canada (général)
Radio-Canada (ingénierie)
Revenu national (Douanes et Accise)
Revenu national (Impôt)
Santé nationale et Bien-être social
Secrétariat d'État (Bureau des traductions)
Société pour l'expansion des exportations
Transports
Travaux publics

1986

Vérifications

Air Canada (service en vol, opérations aériennes et maintenance)
Commissaires à l'information et à la vie privée
Commission de la Capitale nationale
Commission de la Fonction publique
Consommation et Corporations
Contrôleur général
Défense nationale (collèges militaires)
Défense nationale (Centre médical)
Gendarmerie royale du Canada (Centre de formation et Saskatchewan)
Musées nationaux
Service canadien du renseignement de sécurité
Société canadienne d'hypothèques et de logement

Suivis

Affaires des anciens combattants
Affaires extérieures
Bureaux des services juridiques des pensions
Cabinet du Premier ministre
CN (administration centrale)
CN (tour et hôtels)
Commission canadienne d'examen des exportations de biens culturels
Commission des allocations aux anciens combattants
Commission des pensions
Commission du tarif
Conseil de révision des pensions
Corporation Place du Canada (avant l'ouverture d'Expo 86)
Gouverneur général
Office national du film
Pont international de la voie maritime
Sénat
Société canadienne des postes
Société immobilière du Canada (Mirabel) limitée
Société immobilière du Canada (Vieux-Port de Montréal) limitée
Société immobilière du Canada (Vieux-Port de Québec) inc.
Vérificateur général

1987

Vérifications

Affaires indiennes et du Nord canadien
Approvisionnements et Services (Approvisionnements)
Banque du Canada
Centre de recherches pour le développement international
Commission de l'emploi et de l'immigration (services spécialisés dans l'Ouest)
Conseil de recherches médicales du Canada
Défense nationale (installations à Ottawa)
Défense nationale (formation linguistique)
Revenu national (Douanes et Accise, laboratoires)
Service correctionnel du Canada (Atlantique)
Société du Crédit agricole

Suivis

Chambre des communes
Conseil des Sciences du Canada
Corporation commerciale canadienne
Défense nationale (coordonnateurs)
Expansion industrielle régionale (Tourisme)
Justice
Société Harbourfront
Travail Canada

Études spéciales

Défense nationale (langue de travail et profils linguistiques)
Île-du-Prince-Édouard (service au public)
Nouveau-Brunswick (langue de travail)

A.4

LES QUESTIONS LINGUISTIQUES VOUS INTÉRESSENT ?

Imprimés, matériel audiovisuel et trousses produits par le Commissariat aux langues officielles

IMPRIMÉS[a]

Rapport annuel. Publication bilingue présentée tous les printemps au Parlement. Fournit aux parlementaires et au grand public les données qui leur permettront de juger des progrès de la réforme du régime linguistique entreprise au Canada il y a 18 ans. Environ 230 pages dans chaque langue.

Sommaire du Rapport annuel. Sommaire du rapport annuel soumis au Parlement par le Commissaire aux langues officielles. Son petit format en fait un outil pratique pour les réunions et facile à consulter. Environ 16 pages dans chaque langue.

Les minorités : le défi. Tiré à part du *Rapport annuel 1984* du Commissaire aux langues officielles qui décrit les différents problèmes auxquels font face les minorités de langue officielle. Quarante pages dans chaque langue.

La jeunesse, la langue et l'enseignement. Tiré à part du *Rapport annuel 1985* du Commissaire aux langues officielles qui renferme une foule de renseignements sur la jeunesse, les langues et l'enseignement. Environ 70 pages dans chaque langue.

Maintenir la pression. Tiré à part du *Rapport annuel 1986*. Décrit les fonctions des diverses composantes du Commissariat et présente un résumé des activités de l'année précédente. Quatorze pages dans chaque langue.

L'éducation : des plans S.V.P. Tiré à part du *Rapport annuel 1986*. Traite des programmes d'enseignement du français et de l'anglais en tant que langue seconde et de l'enseignement postsecondaire en français. Environ 30 pages dans chaque langue.

Langue et Société. Publication bilingue qui s'adresse à tous ceux qu'intéressent les questions linguistiques qui se posent ici et dans d'autres pays. Réunit une variété d'informations et d'opinions de collaborateurs canadiens et étrangers. Trente-deux pages dans chaque langue.

Index pour Langue et Société. Index bilingue des titres des articles de tous les numéros de *Langue et Société* publiés jusqu'à présent.

Discours. Collection de neuf allocutions du Commissaire sur un nombre très varié de questions susceptibles d'intéresser ceux qui se préoccupent de la situation linguistique du Canada : droits linguistiques, communautés minoritaires de langue officielle, lois, services gouvernementaux, enseignement, pour ne nommer que celles-là.

La Loi sur les langues officielles : que prévoit-elle réellement ? Dépliant bilingue qui explique la *Loi sur les langues officielles* et le rôle du Commissaire.

L'Univers des langues. Catalogue qui décrit les documents amusants et informatifs que le Commissariat crée et diffuse gratuitement à l'intention des jeunes Canadiens et Canadiennes afin de les sensibiliser aux deux langues officielles du Canada. Environ 16 pages dans chaque langue. Comprend un bon de commande.

À votre service en français et en anglais/English or French it's your choice. Macarons, décalcomanies et affiches pour annoncer que les services sont disponibles dans les deux langues officielles. Utiles pour les ministères, les fonctionnaires ainsi que les organismes et les personnes qui servent le public.

Langues du monde/Les langues au Canada. Carte-affiche qui présente, d'un côté, les langues officielles ou les principales langues de communication de quelque 160 pays. De l'autre, elle offre quantité de renseignements sur le français et l'anglais de même que sur les autres langues qui se parlent au Canada et ailleurs dans le monde. Format : 90 × 60 cm.

Deux langues, c'est tout un monde. Affiche bilingue dont le thème est mis en relief par la couleur et le graphisme. Format : 53 × 70 cm.

Le français et l'anglais assurent au Canada une place de choix. Affiche bilingue publiée pour commémorer le 15e anniversaire de la *Loi sur les langues officielles*. Format : 50 × 63 cm.

POUR LES JEUNES[a]

Vous aviez la parole. Recueil des œuvres rédigées par des jeunes de 15 à 24 ans dans le cadre du concours d'œuvres de fiction lancé par le Commissaire pour marquer l'Année internationale de la jeunesse. Avec les œuvres françaises présentées d'un côté, et les œuvres anglaises de l'autre, environ 40 pages dans chaque langue.

Soyez à l'écoute. Trousse qui offre la possibilité unique de connaître les idées et les sentiments des jeunes Canadiens et Canadiennes sur l'art de vivre dans un pays bilingue. Elle contient la publication intitulée *Vous aviez la parole*, la bande vidéo *Fiction accomplie* et un guide d'utilisation. Réservée aux enseignants et aux organismes.

Langues du monde/Les langues au Canada. Carte-affiche bilingue qui, d'un côté, illustre les langues officielles de quelque 160 pays et, de l'autre, offre des données sur le français et l'anglais au Canada ainsi que sur les langues autochtones et patrimoniales. Format : 90 × 60 cm.

Explorations. Jeu bilingue destiné aux jeunes de 12 ans et plus. C'est un tour du monde qui les sensibilise au statut international du français et de l'anglais dans un univers linguistique extrêmement varié. Avec le jeu **Explorations**, les joueurs vont de ville en ville, au hasard des dés. Conçu pour quatre joueurs ou moins.

Oh ! Canada 2. Trousse bilingue amusante et instructive pour enfants de 8 à 12 ans. Elle comprend une brochure de 32 pages intitulée **Oh ! Canada 2**, qui s'ouvre sur une bande dessinée racontant les incroyables aventures de Hildie, Jamie, Michel et Geneviève la tortue. La trousse contient aussi un jeu appelé **Retrouvons Geneviève** qui invite à parcourir le Canada à la recherche de la tortue espiègle, et un disque 33 1/3 tours **Le Téléphone.**

Sauvons Geneviève. Décalque bilingue, haut en couleurs, de Geneviève, la tortue espiègle de la bande dessinée **Oh ! Canada 2.** Idéal pour chandails de coton ou molletonnés, 15 cm de diamètre.

Nos amis à plumes. Affiche qui donne les noms français et anglais d'un bon nombre d'oiseaux qui égaient les villes et les campagnes de l'Amérique du Nord. Format : 45 × 55 cm.

Les hiboux hululent. Le langage animal est prétexte à une leçon de français et d'anglais. Affiche bilingue de 45 × 60 cm.

Le français et l'anglais... dans près de la moitié des pays du monde. Affiche bilingue qui donne, sur un fond de ballons aux couleurs vives, les drapeaux des pays où nos deux langues officielles sont communément utilisées. Une légende au verso identifie ces pays. Format : 50 × 70 cm.

La bernache du Canada. Les services du gouvernement fédéral sont disponibles dans les deux langues officielles. Voilà le message transmis aux jeunes de 9 ans et moins par les six illustrations aux couleurs vives de cette affiche dont la vedette est une bernache du Canada. 90 × 60 cm.

Agenda. Calendrier-journal pour les jeunes de 12 à 14 ans qui regorge en outre d'anecdotes et de faits sur le Canada et ses deux langues officielles. **Tirage épuisé.**

MATÉRIEL AUDIO-VISUEL[b]

Deux langues pour mieux se comprendre. Diaporama qui traite de la *Loi sur les langues officielles* et du mandat du Commissaire. Recommandé pour des séances d'information, des colloques. Également disponible en version anglaise. Jeu de 60 diapositives couleur et bande sonore, ou vidéocassette de 3/4 po ; 10 minutes.

Il était deux fois... Twice Upon a Time. Le bilinguisme canadien vu avec le sourire. Vise surtout à susciter la discussion. Court-métrage couleur en 16 mm ou en vidéocassette de 3/4 po ; 10 minutes.

B.B. vingt ans après. Reportage réalisé à l'occasion du 20e anniversaire de la Commission royale d'enquête sur le bilinguisme et le biculturalisme. Également disponible en version anglaise, **Bilingualism and Biculturalism, Twenty Years Later.** Sur vidéocassette de 3/4 po ; couleur, 30 minutes.

[a] Pour obtenir les publications décrites ci-dessus, il suffit d'écrire à la Direction des communications, Commissariat aux langues officielles, Ottawa, Canada, K1A 0T8.

[b] Le matériel audio-visuel peut être emprunté de toutes les cinémathèques de l'Office national du film et du Commissariat.

LES PROGRAMMES DE LANGUES OFFICIELLES

B.1

Ventilation des prévisions budgétaires et des effectifs affectés aux programmes de langues officielles à l'extérieur et au sein de la Fonction publique fédérale, 1986–1987 et 1987–1988

	1986–1987		1987–1988	
	Prévisions budgétaires révisées ($ 000)	Effectif	Prévisions budgétaires révisées ($ 000)	Effectif
PROGRAMMES EXTERNES: PROVINCES, TERRITOIRES ET ORGANISMES				
Secrétariat d'État				
• Paiements de transfert aux provinces et aux territoires au titre des programmes de langues	216 541		216 541	
• Paiements de transfert aux groupes minoritaires de langue officielle	19 629		19 631	
• Paiements de transfert au titre des programmes d'expansion du bilinguisme	7 509		12 007	
• Dépenses de fonctionnement	4 076	71	4 712	72
Commission de la Capitale nationale				
• Subventions à des programmes externes de bilinguisme	300	0,4	0	0
Commissariat aux langues officielles	9 809	145	10 609	152
Total partiel	257 864	216,4	263 500	224
PROGRAMMES INTERNES: FONCTION PUBLIQUE, FORCES ARMÉES ET SOCIÉTÉS D'ÉTAT				
Conseil du Trésor				
• Direction des langues officielles	5 126	64	5 150	64
Commission de la Fonction publique				
• Formation linguistique	36 794	703	33 334	588
• Administration et autres activités	2 956	63	4 921	94
Secrétariat d'État				
• Services de langues officielles	89 505	1 588	84 394	1 477
Autres ministères et organismes	70 368	502	73 688	549
Forces armées	42 027	1 131	49 652	986
Sociétés d'État	n.d.	n.d.	26 899	n.d.
Total partiel	246 776	4 051	278 038	3 758
TOTAL	504 640	4 267,4	541 538	3 982

n.d. Données non disponibles

Sources: Pour 1986-1987, rapports émanant des ministères et organismes concernés. Pour 1987-1988, rapports émanant du Secrétariat du Conseil du Trésor.

B.2

LES DEUX GROUPES DE LANGUE OFFICIELLE DANS LA FONCTION PUBLIQUE DU CANADA

Fonctionnaires fédéraux selon la première langue officielle et la catégorie d'emploi, 1981 et 1987

CATÉGORIE		FRANCOPHONES NOMBRE	%	ANGLOPHONES NOMBRE	%
Gestion	1981	296	20,5	1 148	79,5
	1987	882	20,1	3 511	79,9
Scientifiques et spécialistes	1981	4 267	19,9	17 210	80,1
	1987	5 094	21,9	18 180	78,1
Administration et service extérieur	1981	15 110	27,9	39 095	72,1
	1987	16 726	29,8	39 322	70,2
Techniciens	1981	5 122	19,9	21 518	80,8
	1987	5 638	20,8	21 520	79,2
Total des agents	**1981**	**24 795**	**23,9**	**78 971**	**76,1**
	1987	**28 340**	**25,6**	**82 533**	**74,4**
Soutien administratif	1981	23 205	32,0	49 224	68,0
	1987	23 082	33,4	46 035	66,6
Exploitation	1981	27 600	27,0	74 632	73,0
	1987	10 191	24,7	31 034	75,3
Total du personnel de soutien	**1981**	**50 805**	**29,1**	**123 856**	**70,9**
	1987	**33 273**	**30,2**	**77 069**	**69,8**
GRAND TOTAL	**1981**	**75 600**	**27,2**	**202 827**	**72,8**
	1987	**61 613**	**27,9**	**159 602**	**72,1**

Source : Système d'information sur les langues officielles, 1981 et 1987.

C.1

EFFECTIFS DES PROGRAMMES DE LANGUE SECONDE DANS LES ÉCOLES PUBLIQUES

PROVINCE[a]		Population scolaire totale	TOTAL EFFECTIFS EN LANGUE SECONDE	PROGRAMMES D'IMMERSION EN FRANCAIS	
				Effectifs	Écoles offrant des cours d'immersion
Terre-Neuve	1977-1978	156 168	67 791	95	3
	1986-1987 [r]	139 378	76 292	2 621	29
	1987-1988 [b]	136 600	76 300	3 100	32
Ile-du-Prince-Édouard	1977-1978	27 628[r]	16 495[r]	541	7
	1986-1987 [r]	24 884	15 876	2 514	21
	1987-1988 [b]	24 800	15 950	2 550	21
Nouvelle-Écosse	1977-1978	198 097	88 991	127	3
	1986-1987 [r]	170 868	102 388	2 421	28
	1987-1988 [b]	170 000	101 400	2 900	30
Nouveau-Brunswick	1977-1978	162 229	70 629	3 179	34
	1986-1987 [r]	139 465	75 561	15 368	103
	1987-1988 [b]	138 000	78 200	16 200	105
Québec	1977-1978	1 260 983[r]	667 472	Aucun programme d'immersion en anglais.	
Élèves inscrits aux cours d'anglais langue seconde.	1986-1987 [r]	1 037 174	572 453		
	1987-1988 [b]	1 034 300	575 000		
Québec	1977-1978	1 260 983[r]	17 754[r]	17 754[r]	n.d.
Élèves inscrits aux cours de français langue seconde (programme immersif).	1986-1987 [r]	1 037 174	18 391	18 391	n.d.
	1987-1988 [b]	1 034 300	18 750	18 750	n.d.
Ontario	1977-1978	1 950 308[r]	883 269	12 764	160
	1986-1987 [r]	1 791 919	1 012 191	98 809	820
	1987-1988 [b]	1 825 000	1 045 000	108 000	860

NIVEAU ÉLÉMENTAIRE[d] (Programme cadre)			NIVEAU SECONDAIRE[e] (Programme cadre)		
Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde[c] Effectifs	%	Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde[c] Effectifs	%
93 440[r]	33 585	35,9	62 453[r]	34 111	54,6[r]
70 527	36 441	51,7	66 156	37 230	56,3
67 000	36 200	54,0	66 320	37 000	55,8
13 284	7 351	55,3	13 171[r]	8 603[r]	65,3[r]
10 445	5 941	56,9	11 428	7 421	64,9
10 400	5 900	56,7	11 350	7 500	66,1
100 529	30 025	29,9	91 545	58 839	64,3
84 731	46 661	55,1	79 876	53 306	66,7
83 500	45 700	54,7	79 950	52 800	66,0
49 019	29 563	60,3	56 930	37 887	66,6
37 014	32 867	88,8	42 121	27 326	64,9
37 200	35 300	94,9	41 100	26 700	65,0
580 351[r]	214 730[r]	37,0	473 402[r]	463 934[r]	98,0
595 319	249 060	41,8	329 993	323 393	98,0
595 200	250 000	42,0	331 600	325 000	98,0
Voir le tableau C.2 (enseignement aux minorités de langue officielle).			Voir le tableau C.2 (enseignement aux minorités de langue officielle).		
1 221 579[r]	650 136	53,2[r]	612 574[r]	220 369	36,0[r]
1 021 327	668 971	65,5	580 055	244 411	42,1
1 028 500	690 000	67,1	596 000	247 000	41,4

Suite

PROVINCE[a]		Population scolaire totale	TOTAL EFFECTIFS EN LANGUE SECONDE	PROGRAMMES D'IMMERSION EN FRANCAIS	
				Effectifs	Écoles offrant des cours d'immersion
Manitoba	1977-1978	221 408	85 619	1 667	13
	1986-1987[r]	199 037	103 786	14 619	76
	1987-1988[b]	199 100	105 700	17 000	85
Saskatchewan	1977-1978	216 248[r]	53 804	407	2
	1986-1987[r]	202 788	79 741	7 503	58
	1987-1988[b]	203 000	87 000	9 000	70
Alberta	1977-1978	439 804	n.d.	n.d.	n.d.
	1986-1987[r]	451 419	150 954	21 194	135
	1987-1988[b]	455 000	160 500	23 500	150
Colombie-Britannique	1977-1978	527 769	161 110	1 301	15
	1986-1987[r]	486 299	203 366	18 744	151
	1987-1988[b]	486 000	219 200	22 500	180
Yukon	1977-1978	5 394	n.d.	n.d.	n.d.
	1986-1987[r]	4 805	2 472	291	1
	1987-1988[b]	5 000	2 610	310	1
Territoires du Nord-Ouest	1977-1978	12 717	n.d.	n.d.	n.d.
	1986-1987[r]	13 296	3 826	261	3
	1987-1988[b]	13 200	4 065	310	5
TOTAL	**1977-1978**	**5 178 753[r]**	*	**37 835[r]**	**237**
	1986-1987[r]	**4 661 332**	**2 417 297**	**202 736**	**1 425**
	1987-1988[b]	**4 690 000**	**2 489 675**	**224 120**	**1 539**

*Le total de 1977-1978 s'élève à 2 112 934[r], lorsque les chiffres sont additionnés verticalement. Additionnés horizontalement, les chiffres pour cette même année donnent un total de 2 240 949. Cela est dû à la non-disponibilité des données pour l'Alberta et les Territoires du Nord-Ouest.

[a] Là où aucune indication n'est donnée, la langue seconde enseignée est le français.

[b] Estimation de Statistique Canada.

[c] Voir le tableau C.2 pour le nombre d'élèves inscrits aux programmes d'enseignement aux minorités de langue officielle.

NIVEAU ÉLÉMENTAIRE[d] (Programme cadre)			NIVEAU SECONDAIRE[e] (Programme cadre)		
Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde[c] Effectifs	%	Population scolaire dont la langue d'enseignement est l'anglais (Le français au Québec)	Langue seconde[c] Effectifs	%
110 831	42 576	38,4	100 707	41 376	41,1
91 583	48 137	52,6	87 471	41 030	46,9
90 100	47 700	52,9	86 750	41 000	47,3
110 382	4 928	4,5	104 075[r]	48 469	46,6[r]
106 723	30 412	28,5	87 398	41 826	47,9
105 000	34 000	32,4	87 850	44 000	50,1
216 656	52 435	24,2	215 899	58 903	27,3
228 544	60 099	26,3	200 086	69 661	34,8
229 700	62 000	27,0	200 050	75 000	37,5
305 574	75 740	24,8	220 894	84 069	38,1
274 755	86 952	31,6	190 997	97 670	51,1
277 200	100 000	36,1	184 350	96 700	52,5
3 545	1 346	38 0	1 849	939	50,8
2 745	1 193	43,5	1 733	988	57,0
2 850	1 300	45 6	1 794	1 000	55,7
8 801	2 100	23,9[r]	3 916	1 100[b]	28,1
9 041	2 242	24,8	3 994	1 323	33,1
8 900	2 242	25,2	3 990	1 513	37,9
2 813 991[r]	**1 144 515[r]**	**40,7[r]**	**1 957 415[r]**	**1 058 599[r]**	**54,1[r]**
2 532 754	**1 268 976**	**50,1**	**1 681 308**	**945 585**	**56,2**
2 535 550	**1 316 342**	**51,7**	**1 691 104**	**955 213**	**56,5**

[d] M à 6 sauf en Ontario (M à 8), en Colombie-Britannique et au Yukon (M à 7).

[e] 7 à 12 sauf en Ontario (9 à 13), au Québec (7 à 11), en Colombie-Britannique et au Yukon (8 à 12).

[r] Données révisées depuis la parution du *Rapport annuel 1986*.

n.d. Données non disponibles.

Source: Statistique Canada, Division de l'enseignement élémentaire et secondaire.

C.2

PROGRAMMES D'ENSEIGNEMENT AUX MINORITÉS DE LANGUE OFFICIELLE

Nombre d'élèves inscrits aux programmes conçus pour permettre aux enfants de la minorité de langue officielle (l'anglais au Québec et le français ailleurs) d'étudier dans leur langue maternelle ; classes où ces programmes sont assurés ; nombre d'écoles les dispensant, selon les provinces et territoires, 1970–1971, 1986–1987 et 1987–1988

		Élèves inscrits	Classes	Écoles
Terre-Neuve	1970–1971	185	M à 10	1
	1986–1987[r]	74	M à 10	2
	1987–1988[a]	180	M à 10	4
Île-du-Prince-Édouard	1970–1971	796	1 à 12	7
	1986–1987[r]	497	1 à 12	2
	1987–1988[a]	500	1 à 12	2
Nouvelle-Écosse	1970–1971	7 388	P à 12	32
	1986–1987[r]	3 840	P à 12	20
	1987–1988[a]	3 650	P à 12	20
Nouveau-Brunswick	1970–1971	60 679	M à 12	196
	1986–1987[r]	44 962	M à 12	153
	1987–1988[a]	43 500	M à 12	152
Québec	1970–1971	248 855	M à 11	519
	1986–1987[r]	111 862	M à 11	381
	1987–1988[a]	107 500	M à 11	375
Ontario	1970–1971	115 869	M à 13	381
	1986–1987[r]	91 728	M à 13	360
	1987–1988[a]	92 500	M à 13	365
Manitoba	1970–1971	10 405	M à 12	49
	1986–1987[r]	5 364	M à 12	30
	1987–1988[a]	5 250	M à 12	30
Saskatchewan	1970–1971	765	M à 12	12
	1986–1987[r]	1 164	M à 12	14
	1987–1988[a]	1 150	M à 12	14

Suite		Élèves inscrits	Classes	Écoles
Alberta	1970-1971	n.d.	n.d.	n.d.
	1986-1987[r]	1 595	M à 12	17
	1987-1988[a]	1 750	M à 12	20
Columbie-Britannique	1970-1971	—	—	—
	1986-1987[r]	1 803	M to 11	35
	1987-1988[a]	1 950	M à 12	36
Yukon	1970-1971	—	—	—
	1986-1987[r]	36	1 à 6,8,9	2
	1987-1988[a]	46	M à 7,9	2
Territoires du Nord-Ouest	1970-1971	—	—	—
	1986-1987	—	—	—
	1987-1988[a]	—	—	—
TOTAL	1970-1971	444 942		1 197
	1986-1987[r]	262 925		1 016
	1987-1988[a]	257 976		1 020

[a] Estimation de Statistique Canada.

[r] Données révisées depuis la parution du *Rapport annuel 1986*.

n.d. Données non disponibles.

Source : Statistique Canada, Division de l'enseignement élémentaire et secondaire.

Examen comparatif du projet de loi C-72 (1987) et de la *Loi sur les langues officielles* (1969)

Préambule

Alors que la **Loi** de 1969 ne comporte pas de préambule, le nouveau **projet de loi** en comprend un qui reconnaît :

- conformément aux principes énoncés dans la Constitution, la dualité linguistique du Canada et l'égalité de statut, de droits et de privilèges des francophones et des anglophones lorsqu'ils traitent avec les ministères et organismes fédéraux ou y travaillent ;
- conformément aux mêmes principes, l'universalité d'accès dans les deux langues en ce qui a trait au Parlement et à ses lois ainsi qu'aux tribunaux du Canada, et le droit du public à l'emploi de l'une ou l'autre de ces langues pour communiquer avec le Parlement et le gouvernement ou pour en recevoir des services ;
- le droit des employés d'expression française et d'expression anglaise du gouvernement fédéral de faire usage au travail de la langue officielle de leur choix et de jouir de chances égales d'emploi dans l'Administration ;

et réaffirme :

- l'obligation de favoriser l'épanouissement des minorités de langue officielle ;
- la nécessité d'assurer le respect et la promotion des deux langues officielles, sans porter préjudice aux intérêts et aux attentes des autres groupes ethniques ;
- l'engagement du gouvernement fédéral à collaborer avec les provinces, le secteur privé, les syndicats et les associations volontaires dans le but d'atteindre l'égalité linguistique dans la société canadienne.

Objet

La **Loi** de 1969 reconnaît au français et à l'anglais un statut, des droits et des privilèges égaux quant à leur emploi dans toutes les institutions du Parlement et du gouvernement du Canada. En plus de réaffirmer ce principe, le **projet de loi** :

- énumère les secteurs où l'égalité linguistique est garantie : le Parlement, les tribunaux, les textes législatifs, le service au public et les communications au sein de l'administration fédérale ;
- formule un engagement à favoriser l'épanouissement des minorités de langue officielle et à promouvoir la pleine reconnaissance et l'usage du français et de l'anglais dans la société canadienne.

Textes législatifs

En vertu de la **Loi** de 1969, toutes les lois ainsi que les règlements, décrets et autres textes législatifs fédéraux doivent être publiés *simultanément* dans les deux langues, à moins que leur traduction n'entraîne un retard préjudiciable à l'intérêt public. Le **projet de loi** ne prévoit aucune exception : *tous* ces documents devront être publiés simultanément, et les deux versions auront également force de loi.

La **Loi** actuelle exige que, dans la région de la Capitale nationale et dans les districts bilingues, les avis et annonces du gouvernement fédéral paraissent dans au moins une publication de chaque langue officielle. Le **projet de loi** étend cette obligation à *toutes* les régions visées par un avis ou une annonce donnés, et précise que les deux versions doivent se voir accorder une importance égale.

Administration de la justice

À l'heure actuelle, les décisions définitives d'intérêt public rendues par des tribunaux fédéraux peuvent être publiées dans une seule langue *sans attendre* qu'une traduction soit établie. Le **projet de loi** élimine cette possibilité. Cependant, ces décisions pourront être rendues de vive voix dans une seule langue officielle sans être infirmées.

Les organismes judiciaires et quasi judiciaires fédéraux sont actuellement tenus de respecter les préférences linguistiques des témoins, en recourant au besoin à un service d'interprétation simultanée. Désormais, le président d'audience devra être en mesure de comprendre les témoignages sans l'aide d'un interprète. En outre, les intervenants fédéraux devront utiliser la langue officielle choisie par les autres parties, ou les deux si cela s'avérait nécessaire. Les formulaires des actes de notification judiciaires devront être établis dans les deux langues officielles.

Communications et services

La **Loi** de 1969 définit l'*obligation* qu'ont les ministères et organismes fédéraux de servir le public et de communiquer avec lui dans les deux langues officielles, dans certaines conditions. Pour assurer la conformité de la **Loi** avec la *Charte canadienne des droits et libertés*, cette obligation institutionnelle devient un *droit* du public.

À l'heure actuelle, la prestation de services dans les deux langues officielles est obligatoire dans quatre cas : dans les districts fédéraux bilingues, dont la région

de la Capitale nationale est le meilleur exemple ; au lieu de leur siège ou bureau central, où qu'il soit au Canada ; là où il y a « demande importante » de la part du public ; dans les services aux voyageurs, à moins que la demande soit « trop irrégulière ».

Le concept de district bilingue est abandonné. S'inspirant de la Charte, le **projet de loi** définit de nouveaux critères. Le public aura le droit de recevoir des services dans sa langue officielle d'élection :

- de la part de tous les sièges sociaux et administrations centrales des ministères et organismes fédéraux ;
- dans la région de la Capitale nationale et dans tous les bureaux et autres points de service au Canada et à l'étranger : a) là où il existe une « demande importante », et b) là où la « vocation du bureau » le justifie ;
- partout où des services sont assurés aux voyageurs, si la demande le justifie.

L'expression « vocation du bureau » doit comprendre des considérations telles que la santé et la sécurité publiques, l'emplacement du bureau, ou encore le caractère « national ou international » de son mandat. Après avoir dûment consulté les représentants des communautés de langue officielle, le gouverneur en conseil émettra un règlement précisant leur interprétation et celle de toute autre considération pertinente.

Le **projet de loi** prévoit aussi que les services des organismes fédéraux, offerts au public en leur nom par des tiers, le soient, dans l'une ou l'autre des langues officielles, comme s'ils étaient dispensés par ces organismes.

Par ailleurs, le **projet de loi** recommande que les organismes fédéraux dotés de pouvoirs de réglementation dans des secteurs touchant la santé et la sécurité publiques utilisent ces pouvoirs, « si les circonstances le justifient », de façon à promouvoir l'égalité linguistique dans les organismes assujettis à leur règlementation.

Les bureaux et points de service désignés « bilingues » seront tenus d'offrir « activement » leurs services dans les deux langues officielles, notamment par la communication verbale et la signalisation.

Lorsqu'ils dispensent de l'information au public, les ministères et organismes fédéraux devront recourir aux médias les plus appropriés pour rejoindre efficacement les intéressés.

Langue de travail

Le principe voulant que les fonctionnaires puissent travailler dans leur langue officielle d'élection, sous réserve des exigences du service au public, n'est pas énoncé explicitement dans la **Loi** actuelle, bien qu'il fasse partie intégrante de la Résolution parlementaire de 1973.

Le **projet de loi** énonce ce principe explicitement et en fait un *droit* formel duquel découlent les obligations des ministères et organismes fédéraux en cette matière. Ceux-ci seront obligés d'assurer l'égalité du français et de l'anglais au travail, compte tenu de certains facteurs tels que le nombre relatif des employés des deux groupes et les exigences du service au public. Autrement dit, les ministères et organismes devront veiller à ce que :

- les services centraux et du personnel soient offerts dans les deux langues ;
- les documents de travail et les systèmes informatiques d'usage courant soient disponibles dans les deux langues ;
- les surveillants (à titre individuel) et les gestionnaires (à titre collectif) des régions où le bilinguisme est le plus répandu soient linguistiquement compétents.

Les fonctionnaires appartenant à l'une des minorités de langue officielle doivent bénéficier, dans les autres régions, du même traitement accordé à ceux de l'autre collectivité lorsque ceux-ci sont minoritaires.

Pleine participation

La notion de pleine participation des francophones et des anglophones au sein de la Fonction publique n'était pas inclue dans la **Loi** de 1969. Elle a été introduite dans la Résolution parlementaire de 1973. Le **projet de loi** réaffirme ce principe, précisant que les deux groupes linguistiques doivent avoir « des chances égales d'emploi et d'avancement » et que leur taux de participation dans la Fonction publique doit tendre à « refléter » leur poids démographique respectif. Dans ce dernier cas, on tiendra compte du mandat, de l'emplacement des bureaux et de la clientèle de chacun des ministères et organismes.

Le gouverneur en conseil établira des règlements précisant la portée des dispositions relatives à la « langue de travail » et à la « pleine participation ».

Attributions et obligations

La **Loi** actuelle définit les obligations des ministères et organismes fédéraux en ce qui a trait à la langue de service et de communication avec le public. Cependant, elle ne fait aucune mention de la responsabilité générale en matière de gestion des programmes linguistiques.

Le **projet de loi** confie au *Conseil du Trésor* la responsabilité globale de la gestion et la promotion des principes et programmes intéressant l'administration fédérale, y compris les sociétés de la Couronne et les filiales en propriété exclusive. Le Conseil devra émettre des directives, établir des règlements, informer le public, évaluer l'efficacité des programmes et faire rapport annuellement au Parlement.

De même, la **Loi** de 1969 ne fait aucune mention des programmes complémentaires touchant divers secteurs en dehors de l'administration fédérale, certaines collectivités ou encore l'ensemble de la société canadienne. En vertu du **projet**

de loi, le *secrétaire d'État*, qui administre déjà de tels programmes, se voit confier l'obligation juridique d'encourager la *reconnaissance*, l'*apprentissage* et l'*usage* du français et de l'anglais. Pour ce faire, le secrétaire d'État devra :

- favoriser l'épanouissement des communautés minoritaires ;
- aider les autorités provinciales et autres intervenants à assurer aux minorités un enseignement et des services dans leur langue ;
- multiplier les possibilités d'apprentissage de la langue seconde pour les deux groupes linguistiques.

Mandat du Commissaire

À l'heure actuelle, le Commissaire est chargé de veiller à ce que l'esprit et la lettre de la **Loi** soient respectés. Celle-ci établit en outre les procédures visant l'instruction des plaintes, la tenue des enquêtes ainsi que les rapports et recommandations au gouvernement et au Parlement.

Le **projet de loi** renforce et élargit considérablement la portée de ce mandat. Il confère notamment au Commissaire le droit d'examiner les règlements du gouverneur en conseil. Si l'instruction d'une plainte aboutit à une impasse et que le Commissaire juge opportun de déposer un rapport spécial auprès du gouverneur en conseil, le gouvernement devra y donner suite dans un délai raisonnable.

Recours en judiciaire

À l'heure actuelle, les particuliers ou les groupes qui estiment que leurs droits linguistiques n'ont pas été respectés peuvent soit faire appel au Commissaire, soit s'adresser à un tribunal en vertu de la *Charte canadienne des droits et libertés*.

À ce recours, le **projet de loi** ajoute la possibilité de saisir la Cour fédérale d'une plainte six mois après son dépôt auprès du Commissaire. Celui-ci peut également comparaître à titre de témoin ou agir au nom du demandeur, avec le consentement de ce dernier.

Les dispositions du **projet de loi** qui ont trait à l'usage du français et de l'anglais au Parlement, aux actes législatifs, à l'administration de la justice, aux communications avec le public et à la prestation des services, de même qu'à la langue de travail, l'emportent sur les dispositions incompatibles de toute autre loi ou de tout règlement fédéraux, à l'exception de la *Loi canadienne sur les droits de la personne*.

Généralités

La **Loi** actuelle dispose que son application ne doit pas porter atteinte aux droits — de loi ou de coutume — des langues autres que le français et l'anglais. S'inspirant du libellé de l'article 27 de la Charte, le **projet de loi** précise qu'il doit être interprété de façon à assurer « le maintien et la valorisation des langues autres que le français et l'anglais ».

Le **projet de loi** prévoit également des amendements au Code criminel et à plusieurs autres lois fédérales qui touchent au respect accordé au français et à l'anglais par le gouvernement fédéral ainsi qu'aux pouvoirs du Commissaire.

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